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July 27, 2014

TO: Mark Slovick, Planning Manager, Lilac Hills Ranch Project
Department of Planning & Development Services County of San Diego

RE: Accretive Investment Group proposal DEIR –DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)

Executive Summary: Lilac Hills Ranch DEIR Responses from the Bonsall Sponsor Group

You will find that some of the text to be similar to Valley Center's submission however, Bonsall has many more questions

The Bonsall Community Sponsor Group has been grappling with this project over many months (years). In our minds it is a bad ill conceived community busting project that should never have been brought forth to be examined in the light of day. Both the Bonsall and Valley Center planning groups have invested too many hours in trying to analyze a project that has so many flaws that more questions have been created than can possibly ever be plausibly answered.

This is the way I started the Executive Summary of the August 17, 2014 and not much has changed with the project or maybe I should be honest and say it is worse.

The thousands of pages that make up the RDEIR documents and their sometimes very technical nature made it difficult for volunteers to review and respond to every item in the relatively short time allowed. However, the principle issues are addressed in some detail in the responses that accompany this summary.

This summary does not substitute for the detailed comments and analyses presented in the email attached comment documents dated July 27, 2014.

The County needs to disclose the following information so that impacts are identified and required Mitigation can be implemented.

Required Disclosure of Relevant Information regarding legal rights for construction of Off Site Improvements as well as how the Applicant intends to gain legal rights

In the DEIR, the County has not provided adequate disclosure regarding off-site impacts of the Project and its Alternatives to surrounding property owners.

This information is necessary to demonstrate Project Feasibility that the Project can ever be legally built.



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THIS SECTION NEEDS A SUCCINCT DISCUSSION OF THE PROJECT'S FACTUAL LACK OF LEGAL RIGHT OF WAY FOR ROADS, SEWER, AND RECYCLED WATER. FACTUAL AND QUANTITATIVE DISCUSSION NEEDS TO BE MADE PROMINENTLY APPARENT TO DECISION MAKERS ON HOW OFFSITE IMPROVEMENTS REQUIRED FOR THIS PROJECT WILL BE ACQUIRED. THERE ARE FACTUALLY 30 OR MORE RIGHT OF WAY ACQUISITIONS THAT PROJECT REQUIRES. THE PROJECT HAS MADE LITTLE PROGRESS IN FOUR YEARS ON ACQUIRING REQUIRED RIGHT OF WAY. IT IS HIGHLY LIKELY THAT THE USE OF EMINENT DOMAIN FOR A MINIMUM OF THIRTY AND LIKELY GREATER NUMBER OF SEPARATE TAKINGS OF UNWILLING PROPERTY OWNERS' LAND OR INTEREST IN ROAD AND UTILITY EASEMENTS WILL BE REQUIRED TO MAKE THIS PROJECT FEASIBLE.

For the Project and each of its Alternatives, provide the following information regarding off-site improvements for which Accretive Investments currently holds less than full legal right of way. For each impacted parcel, indicate what the Applicant has done to attempt to secure legal rights. Disclose how the Applicant or the County intends to secure the necessary legal rights for these parcels:

<u>Parcel Number</u>	<u>Property Owner</u>	<u>sq ft. Right of Way required</u>	<u>sq.ft.Slope Easement</u>	<u>Total sq. ft. Encroachment</u>
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i) West Lilac Road

Scenario 1 – Construction of West Lilac Road from Old Hwy 395 to proposed new Road 3b to 2.2 C Road Standards as is the General Plan Baseline. No information on offsite improvements has been provided by the County for the full route of this Alternative, which is the present General Plan Mobility Element baseline.

Scenario 2 a – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2C/2.2F dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.**

The Oct 31, 2013 study found that 22 parcels were impacted for a total of 4.3 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 2 b – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2 C dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 5.6 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

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Scenario 3 – Impact of improvement from non-compliant 2.2F to 2.2E configuration to improve horizontal curves and provide bicycle lanes in each direction and 8 foot shoulders for West Lilac Road from Easterly boundary of Subdivision (currently near existing Lilac Walk private road intersection) to Covey Lane. This scenario is discussed further in section 2).Direct Impacts to West Lilac Road section of this letter.

ii). Covey Lane/West Lilac Intersection

Scenario 1 – Impact of construction to Applicant's proposed design **including Sight Distance Clearance and turn tapers. Please carefully analyze the need for Additional Slope Easements beyond those granted in IOD's.**

iii). Mountain Ridge Private Road including Mountain Ridge/Circle R Intersection

Scenario 1 – Impact of improvement to Applicant's proposed design **including Sight Distance Clearance and turn tapers.**

Scenario 2 – Impact of improvement of Mountain Ridge Private Road to 30 Mph Private Road Design Speed Standards **including Sight Distance Clearance and turn tapers.**

Scenario 3 – Impact of construction of Mountain Ridge Private Road to Public Road Design Standards **including Sight Distance Clearance and turn tapers.**

iv). Rodriguez private road. Please further enumerate the all improvements proposed for Rodriguez Road as represented in Master Preliminary Grading Plan TM 5571 RPL 4 Sheet 7 of 12. Provide the legal basis of rights to construct the improvements to Rodriguez Road. Provide a copy for Public Review of document 2013-0021800 Rec. 1-11-2013.

Property Rights ARE a DEIR Issue. Without the acquisition of land for offsite improvements, this Project IS INFEASIBLE.

The County of San Diego has received hundreds of pages of factual information from multiple Attorneys that demonstrate the absence of many legal rights for the Project's intended use of private roads and right of way for Sewer and Recycled water utility pipelines.



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The County has taken the position that Private Road right of way disputes are between individual private parties. That said, the County of San Diego has certain knowledge that offsite road improvements for the Project will require right of way for at least thirty separate takings of unwilling property owners' land or interest in road easements.

The County has not been clear about Public information on required right of way for Offsite Improvements for assessment of Environmental Impact. We ask that the County provide the following information:

The County needs to disclose the following information so that impacts are identified and required Mitigation can be implemented.

Required Disclosure of Relevant Information regarding legal rights for construction of Off Site Improvements as well as how the Applicant intends to gain legal rights

In the DEIR, the County has not provided adequate disclosure regarding off-site impacts of the Project and its Alternatives to surrounding property owners.

This information is necessary to demonstrate Project Feasibility that the Project can ever be legally built.

For the Project and each of its Alternatives, provide the following information regarding off-site improvements for which Accretive Investments currently holds less than full legal right of way. For each impacted parcel, indicate what the Applicant has done to attempt to secure legal rights. Disclose how the Applicant or the County intends to secure the necessary legal rights for these parcels:

<u>Parcel Number</u>	<u>Property Owner</u>	<u>sq ft. Right of Way required</u>	<u>sq.ft.Slope Easement</u>	<u>Total sq. ft. Encroachment</u>
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PHASING

Phasing – The Applicant seeks the utmost in flexibility in developing the Project in Phases of which there are many possible permutations, and no assurance whatsoever of Project performance or Conditions of Development.

The County has endorsed this approach without any assurance of performance by the Applicant, such as bonded indemnification to ensure specific performance.

The Applicant states in the Specific Plan and the County states in the RDEIR that some Phases may never be built. Mitigations for Traffic Impacts are tied to events that may never happen.

This is a serious defect with the RDEIR. There is no assurance that promised Mitigation will ever occur.

Refer to the following Table 1 – 4 from Chapter 1 EIR Objectives page 1- 34.

TABLE 1-24
GRADING QUANTITIES BY PHASE (cy)

Phase	Cut	Fill	Net
1	715,000	860,000	(145,000)
2	635,000	830,000	(195,000)
3	1,815,000	1,260,000	555,000
4	295,000	420,000	(125,000)
5	610,000	700,000	(90,000)
TOTAL	4,070,000	4,070,000	-

The Project represents that it requires no import or export of soil for all Phases in total. The Project requests any possible Phase implementation sequence. It is **clear** that Phase 3 is the source of fill dirt **for all of the other four Phases** and is required to be at least partially graded concurrently with the first and any other Phase. Please identify how the Project intends to implement Phase 1 without grading on Phase 3. Also, will Phase 3 be used as a quarry for fill dirt for an extended period?

The County of San Diego is deficient for not recognizing this most basic disconnect. The net result of this is a Significant Impact of Project Feasibility.



This example of infeasibility or vastly different Environmental Impacts is repeated over and over again with every Infrastructure aspect: Roads, Sewers, Waste Water, etc.

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The timing of implementation of Mitigation is also required to be defined with much more rigor than the County has employed. Road Improvement from Significant Impacts are 'triggered' by attainment of a threshold number of Residential Units. The County of San Diego should recognize that certain Commercial Land Uses are far greater drivers of Traffic Impacts than Residential.

Another related defect of this "Phase Game" is that the sum of the Traffic related analyses, for example, have analyzed fewer than 50% of the possible permutations of Phase execution that the County has endorsed in this EIR.

Left with the unbounded Phasing strategy the Applicant proposes, the Project as implemented will have vastly different Environmental Impacts than those analyzed in this EIR.

The Project needs to be required to adopt a defined Phasing Plan sequence with only a few allowable Phase Alternates in order that the proper Environmental Impacts can be assessed.

Project Objectives

The proposed project is based on a wide range of reports that studied the different constraints and opportunities involving the project in concert with the County of San Diego and local community issues. The general components of the proposed project were determined using the project objectives described below.

- 1. Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community.*
- 2. Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes and that provides public services and facilities that are accessible to residents of both the community and the surrounding area.*
- 3. Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers.*
- 4. Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff.*
- 5. Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area.*



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6. *Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing.*
7. *Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses.*

The County has structured the Objectives of the EIR, in aggregate, so narrowly that only the Lilac Hills Ranch Project, as proposed by the applicant, can fulfill the Project Objectives, leading to a self-serving and biased environmental analysis. The VCCPG response takes exception to the implied claims that the Project meets all of its own objectives and suggests that other alternatives to the proposed Project may fit the objectives better.

Objective One

The County has structured Objective One of the EIR so narrowly that only the Lilac Hills Ranch Project can fulfill this Project Objective, leading to a self-serving and biased environmental analysis.

Objective Two

The Project does not meet its own objective for Objective Two.

Objective Three

We do not have any issues with this objective other than to state that any Project required to have a Discretionary Permit approved would have to comply with this objective.

Objective Four

The Project does not meet its own objective for Objective Four.

Objective Five

We do not have any issues with this Objective other than to state that any project required to have a Discretionary Permit approved would have to comply with this objective.

Objective Six

The County has structured the sixth Objective of the EIR so narrowly that only the Lilac Hills Ranch Project can fulfill this Project Objective, leading to a self-serving and biased environmental analysis.

Objective Seven

This objective is subjective and could be met by developing the Project at General Plan densities, which would preserve existing agricultural businesses and residential-based businesses.

The Applicant states in the Specific Plan and the County states in the EIR that some Phases may never be built. Mitigations for Traffic Impacts are tied to events that may never happen. This is a serious defect with the EIR. There is no assurance that promised Mitigation will ever occur.



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The County of San Diego is deficient for not recognizing this most basic disconnect. The net result of this is a Significant Impact of Project Feasibility. This example of infeasibility or vastly different Environmental Impacts is repeated over and over again with every Infrastructure aspect: Roads, Sewers, Waste Water, etc.

The timing of implementation of Mitigation must also be defined with much more rigor than the County has employed. Road Improvements from Significant Impacts are 'triggered' by attainment of a threshold number of Residential Units. The County of San Diego should recognize that certain Commercial Land Uses are far greater drivers of Traffic Impacts than Residential.

Another related defect of this "Phase Game" is that the sum of the Traffic related analyses, for example, have analyzed fewer than 50% of the possible permutations of Phase execution that the County has endorsed in this EIR.

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The Project needs to be required to adopt a defined Phasing Plan sequence with only a few allowable Phase Alternates in order that the proper Environmental Impacts can be assessed.

Project Inconsistencies with Regional and General Plans

In comments submitted over the last two years, the Valley Center Planning Group and the Valley Center Design Review Board have challenged the proponent's assertions that this SP/GPA is consistent with the adopted County General Plan [GP], or with Valley Center's Community Plan [CP], or with Valley Center Design Guidelines.

Our previous comments, which have been submitted separately, have also challenged the logic exhibited throughout Accretive Investment Group's Specific Plan and now in their Revised Draft Environmental Impact Report (RDEIR): that amending a particular GP Regional Category to suit the project somehow also reconciles the project's inconsistencies with a wide array of General and Community Plan Goals and Policies.

The proposed SP/GPA is inconsistent in broad and fundamental ways with the San Diego County General Plan and Community Plans of both Bonsall and Valley Center. Further, the RDEIR fails to disclose and analyze these broad and fundamental inconsistencies and their environmental consequences as CEQA requires. The RDEIR is derelict in concluding as it does that: "The proposed project includes a General Plan Amendment, which if approved, would result in the project being consistent with the General Plan" (Chapter 3 Environmental Effects Found Not To Be Significant, p. 3-87). An Amendment to the General Plan should not mitigate the serious environmental impacts of this Project.

This RDEIR fails to perform the analyses required for decision makers, first, to understand the parameters of this proposal, and, second, to appreciate the nature and reach of its impacts. The RDEIR has only a rudimentary matrix of so-called Consistency with the General Plan in appendix W. However, the serious and unbiased analysis of consistency with the General Plan and the Community Plans has not been produced.

Internal consistency is required of all County General Plans by California State Law. Therefore, in considering a Specific Plan, particularly one that requires amendments to an adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designations and road classifications, principles, elements, goals and policies.



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A Specific Plan is an implementation vehicle. Approval requires compliance with CEQA; consistency as well with the web of interconnected and mutually-supporting elements of the County General Plan, and consistency with the array of implementation actions, strategies and procedures that are in place to achieve the goals and policies that the General Plan sets forth. Inconsistency requires denial of the project OR adapting the General Plan to fit the Specific Plan – the tail wagging the dog.

Changes of this magnitude (Land Use Policies, Mobility and Safety Elements) to the August 3, 2011 San Diego County General Plan would require revisiting the Environmental Impact of the San Diego County General Plan and likely invalidates the San Diego County General Plan EIR. Broad and fundamental amendments to adopted General and Community plans would require countywide environmental review.

We all can understand why the applicants might want to avoid disclosing the array of GP and CP Goals and Policies that this project violates. But CEQA's purpose is not to gloss over or obscure inconsistencies in order to ease approval of this project. CEQA's purpose is disclosure. Therefore, the RDEIR for this SP/GPA must reckon specifically and individually with the General Plan Vision and Guiding Principles and the reflection of these in the Community Development Model, as well as with Goals and Policies across the GP's seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise; as well as goals and policies of the Bonsall and Valley Center Community Plans.

Once inconsistencies are disclosed there are only three ways to resolve them: reject the project, re-design the project, or re-build the County General Plan to suit these applicants. Inconsistencies with General and Community Plans, Design Guidelines and other ordinances and policies are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts.

The full text of the General Plan and Community Plan Inconsistencies comments does an exhaustive analysis of several of the General Plan and Community Plan goals and policies to reveal the inadequacies of the proposed Project and the premise being advanced to allow its approval.



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The RDEIR notes that the riparian habitats on the Project site will be preserved in open space easements. Those portions of the riparian habitats destroyed by road crossings will be recreated on-site adjacent to the preserved existing habitats. However, the RDEIR gives short shrift to the edge effects it acknowledges [e.g. human intrusion, invasive plant species, domestic pets, noise, night light, etc.] pointing to fences and signage and weeding efforts to be managed by a county designated agency.

The RDEIR does not adequately account for the cumulative effects stemming from the impacts to the Project site. If we take San Diego County as the 'region' or even North San Diego County as the region, we should be looking at the historic extent of coastal sage scrub, southern mixed chaparral, southern coast live oak riparian woodland, coast live oak woodland, southern willow scrub, southern willow riparian woodland, and wetlands within that area compared to what exists today. We should then ask to what extent have these vegetation communities been extirpated and to what extent the remaining examples of those communities have significance. Comparing proposed destruction in one project with destruction that has or will result in a handful of other smaller projects isn't an effective measurement of cumulative effects.

The RDEIR and Cultural Resources Report address historic cultural sites on the Project site individually. They fail to regard the Project site overall in the context of nearby significant Native American village sites along the San Luis Rey River and its tributary, Moosa Creek. The Project site is rich with artifacts and occupation sites, but the proposed mitigation and preservation procedures appear to be piecemeal for a Project as large and transformative as this one.

The grading, by cut and fill techniques, of 4-million cubic yards of earth will jeopardize the opportunity for future study and appreciation of the basic integrity of the cultural significance of the larger area. There are suggestions in previous studies that an as yet undiscovered earlier human habitation of the Project site area, or a separate village from those already known may be present.

There are also concerns about the data recovery program and its methodology. Most of the previous studies of the area are 35 years old and more current studies may be needed to fully understand the significance of the site.



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The development of the densely packed Project adjacent to agricultural areas presents the need to buffer which is included in the Bonsall Sponsor Group Community Plan those agricultural areas from the development and its sensitive receptors [schools, churches, senior centers, parks, homes]. However, there is no discussion in this subchapter of General Plan policy S-11.5, which requires development adjacent to agricultural operations in Semi-rural and Rural lands to adequately buffer agricultural areas and ensure compliance with relevant safety and codes where hazardous materials are used. The RDEIR instead chooses to address buffers against hazardous materials in the 2.4 Agricultural Resources subchapter. Perhaps it seems like more of an agricultural problem in that context than a problem caused by poorly placing an urban development in an agricultural context.

The proposed wastewater recycling facility [WRF], if built will be using hazardous materials, such as chlorine, in its treatment process. The facility is only 686-feet from the proposed school site and only 250-feet from homes. Considering that there was a recent accidental spill of hazardous materials from a similar facility in Escondido, the conclusion that the risks from the use of toxic, hazardous materials are less than significant is overly optimistic, even under carefully controlled circumstances.

The WRF will not be built to coincide with the earlier phases of the Project, requiring that sewage be trucked off-site for disposal. The same trucking issue will continue after construction is complete and the WRF is operational, in order to dispose of waste solids screened from the influent. What impact would the 2-3 times weekly truckloads of sewage and/or waste solids have on the safety of residents in the Project? Other potential issues are accidental sewage or sludge spills, not to mention the impact those frequent truck trips have on the traffic flow to and from the Project.

The issues of emergency response and evacuation plans are troublesome for this Project. The Evacuation Plan does not address the most fundamental evacuation issue of the proposed Project – the limited number of roads for automobile evacuation of the 5185 residents of the proposed Project. The mobility element roads nearest the Project are West Lilac and Circle R Roads. Both roads were built as 2.2 E two-lane roads to serve a rural community with small, rural populations and the applicant plans no upgrades to these roads. The addition of 5000+ people at the Project site will severely impact both emergency response and evacuation during a crisis event, exacerbating already congested conditions in such circumstances and putting many people at risk.



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The applicant would further impact evacuation plans by proposing 10 road standard modifications that would lower the classification of the mobility element roads in some cases, lower the design speeds of those roads and assign some mobility element road segments to the list for failing roads with no beneficial mitigation possible. With lower design speeds, narrower roadways and immitigable LOS issues, the Project will imperil evacuations from Bonsall and Valley Center to the I-15 corridor by existing residents, and impede the prospective residents of the Project at the same time. This kind of impact, played out in scenarios like Bonsall and Valley Center experienced in 2003 and 2007, would severely and significantly put hundreds of people at risk. Further, the Project has but a single evacuation route to the East. That is the easterly section of West Lilac Road that connects to Lilac Road. It is a Circulation Element 2.2 E two lane rural road. There are no plans to upgrade this road. If an evacuation event is caused by a large wildfire from the west, a panic evacuation will result over a single narrow, winding road made treacherous by the ensuing smoke plume.

The Project has not demonstrated that it can meet the 5-minute Emergency Response requirement for Fire Services. The proposed solutions of building a fourth fire station in the Deer Springs Fire Protection District [DSFPD] at the Project site do not work from the perspective of jurisdictional issues and fiscal operational cost issues. None of the existing fire stations in the DSFPD meet the 5-minute requirement for new development.

The Project is proposed for a site in a very high fire hazard severity zone [FHSZ]. Locating a Project of this size and scope in a very high FHSZ is not a smart location that is consistent with preventive land use planning. The RDEIR states that failure to meet the standard 100-foot Fuel Modification Zone [FMZ] for significant portions of the Project would be a significant impact. . Section 5.4 Fuel Management Zones on page 54 of the FPP states “The project includes a few areas where fuel modification zones are less than 100 feet wide.” Based on even a quick scan of Figure 1.6 from Chapter 1 of the RDEIR, the more accurate and true statement is: The project includes extensive areas where fuel management zones are less than 100 feet wide. This is a severe design flaw.

Fire Protection Plan (FPP)

The proposed Project FPP does not meet the following basic requirements identified below by Issue Number:

1. Of the four Fire Station site Options proposed by the Applicant, none meet the minimum acceptance criteria of the Deer Springs Fire Protection District (DSFPD). The Charter of the DSFPD focuses on providing no greater than 5-minute emergency response time to the ENTIRE DSFPD, of which the proposed LHR Project is a subset.
2. The Applicant states in the FPP that the LHR Project fully complies with the DSFPD Ordinance No. 2010-01, County of San Diego Consolidated Fire Code, and County of San Diego Public and Private Road Standards. *The LHR has factual compliance issues with all of these regulations.*



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3. The FPP focuses nearly exclusively on Wildfire Management and does not sufficiently address either Structure Fires or Emergency Medical Service (EMS).
4. The FPP doesn't adequately address and analyze the Environmental Impact of the use of six electronic road gates on fire access roads.

Fuel Modification Zones (FMZ) – The applicant appears to rely on other property owners outside the LHR Subdivision boundaries to comply with the 100 foot FMZ requirement which is against California State Fire Code and the County Fire Code.

Thus, the proposal amounts to putting a large project with several vulnerable populations into a very high fire hazard severity zone with substandard fuel modification zones and depending on more rigorous construction techniques to restore a margin of fire safety. The question becomes why the applicant hasn't redesigned the Project to allow for standard FMZs throughout the Project? This problem is strained further by uncertain access to the Project site by fire apparatus. That access depends on at least two private roads, for which easement access is uncertain, and the applicant's proposal to gate those access points. These constraints on access are problematic for fire safety and evacuation efficiency.

The movement of over 4-million cubic yards of dirt and rock on the Project site is perhaps the most obvious irreversible impact. Another is the loss of hundreds of acres of productive agricultural land for future production. Another is the loss of significant amounts of biological habitat and the flora and fauna that presently occupy them. The RDEIR does not adequately address the cumulative impact of scores of such individual losses caused by multiple projects within the County and the irreversible loss of the majority of native habitats in the aggregation of those individual losses. Why are such losses necessary when alternatives that have dramatically less environmental impact are available to achieve the Project's myopic objectives?

Less obvious losses are the changes to the General Plan and related Community Plans that will be required for this Project to be approved. Those changes will dramatically alter the parameters of the General Plan that strive for smart growth. And, if the Project is approved, it will set a precedent that will have severe ramifications across the unincorporated countryside of San Diego County.

Geology and Supplemental Geology Report

The review identifies questions regarding the need for blasting for cuts that exceed 50-feet in depth to facilitate the movement of over 4-Million cubic yards of dirt and rock. Given the phasing of the project, Silicates will be a potential hazard relative to the AQMD standards for a period of as much as 10-years or even longer.

Slope Stability and Remediation describe cut slopes (6.2.1) and fill (manufactured slopes 6.2.2) in excess of seventy-feet (70-feet) in height. There are no seventy-foot high manufactured slopes existing in this community, which makes these proposed slopes out of character with the community.



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The Lilac Hills Ranch Project Alternatives from Chapter 4.0 of the RDEIR are below:

1. No Project/No Development Alternative
2. No Project / Existing Legal Lot Alternative (49 EDU + no commercial)
3. General Plan Consistent Alternative (110 EDU + no commercial)
4. Reduced Footprint Alternative (1251 EDU + 6 acres of commercial)
5. Reduced Intensity Alternative (881 EDU + 5.6 acres of commercial)
6. 2.2C (Hybrid) Alternative (1365 EDU + 15.3 acres of commercial)
7. Roadway Design Alternative (1746 EDU + 17.3 acres of commercial)
8. Mountain Ridge Road Fire Station Alternative (1746 EDU + 17.3 acres of commercial)

The County's Project Alternatives Analysis in Chapter 4 of the RDEIR is grossly defective in meeting CEQA requirements in five areas that are summarized below:

1. The RDEIR Objectives against which the Alternatives are judged for Environmental Impacts are biased and should be changed to equitable objectives, from which compliance against can be fairly measured.
2. The Project does not meet its own Objectives, when fairly assessed.
3. There is a valid offsite alternative – the Downtown Escondido Specific Plan Area (SPA) that needs to be included as an Alternative.
4. The Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid are not valid Alternatives. These three “Alternatives” are density variations of the Project. These Alternatives are also not described in enough detail to provide informed Environmental Impact Analysis. [see table 1]
5. The Alternatives were not fairly assessed in the RDEIR by the Applicant.
6. When all nine Alternatives are fairly assessed, the Downtown Escondido SPA meets more Objectives than the Project or any Alternatives.



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Table 1 -Scant Attributes of 3 Alternates Provided								
Land Use	Project		Reduced Footprint		Reduced Intensity		2.2 C (Hybrid)	
	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/Sq. Ft.
Single Family Detached	158.8	903	142.1	783	275.5	881	177.0	792
Single Family Senior	75.9	468	71.1	468	0		75.9	468
Single Family Attached	7.9	164	0		0		4.3	105
Commercial/Mixed Use	15.3	211	6.0		5.6		15.3	
Water Reclamation	2.4		2.4		2.4		2.4	
RF/Trailhead	0.6		0		0.6		0.6	
Detention Basin	9.4		5.4		5.5		5.5	
School Site	12.0		9.0		0		12.0	
Private Recreation	2.0		0		0		2.0	
Group Residential/Care	6.5		0		0		6.5	
Institutional	10.7		10.7		10.7		10.7	
Park - HOA	11.8		10.0		3.0		11.8	
Park - Dedicated to County	12.0		6.0		9.0		12.0	
Biological Open Space	103.6		168.8		102.7		103.6	
Non-circulating Road	45.7		45.7		41.5		43.1	
Circulating Road	37.6		37.6		21.5		30.0	
Common Areas/Agriculture	20.2		20.2		65.0		45.0	
Manufactured Slopes	67.5		67.5		65.0		50.0	
Other/Accretive Math Error*	8.1		5.5		0		0.3	
Total	608.0	1746	608.0	1251	608.0	881	608.0	1365
* Table 4-1 from DEIR Chapter 4 Project Alternatives has the indicated arithmetic errors								
sq. ft. = Square Feet								
HOA = Homeowner's Association								

This is of course the best of all of the alternatives as it meets the LEED ND requirements and all other logical building as it meets the need of the Escondido Specific Plan.



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TABLE 2 - COMPARISON TO PROJECT OBJECTIVES								
Objectives	Project	Alternates						
		Downtown Escondido SPA	No Project/No Development	No Project/Legal Lot	General Plan Consistent	Reduced Footprint	Reduced Intensity	2.2 C Hybrid
1 -Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community	No	Yes	No	No	No	No	No	No
2 - Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area	No	Yes	No	No	No	No	No	No
3 - Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers	Yes	Yes	No	No	Yes	Yes	Yes	Yes
4 - Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff	No	Yes	No	No	No	No	No	No
5 - Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area	Yes	N/A	No	No	Yes	Yes	Yes	Yes
6 - Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing	Yes	Yes	No	No	No	No	No	Yes
7 - Provide the opportunity for residents to increase the recycling of waste	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
8 - Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Total Number of Objectives Met	5/8	7/8	2/8	2/8	4/8	4/8	4/8	5/8

Clearly, the least Environmental Impact, even to these biased Objectives, is shown in Table 2 to be the Downtown Escondido SPA Alternative.

More importantly, the General Plan alternative must be properly considered by the applicants and County, rather than focus their attention strictly within the boundaries of the Project. Apart from the time and money already spent developing the General Plan [12 years and \$18.6 million], it was designed as a plan for the entirety of the County's unincorporated area while being mindful of the incorporated cities as well. The Lilac Hills Ranch Project is only a single piece of a much larger puzzle.



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To study this “puzzle piece” is NOT to study the General Plan alternative. This “half-study” misses the underlying logic of the new County General Plan which is, according to the lengthy introduction to the GP, to achieve “sustainable development” with a two-part strategy called Smart Growth.

- I. Part One: Direct new growth to areas where infrastructure already exists (such as the established Village in Valley Center’s central valley.
- II. Part Two: Retain agriculture and large parcels for functioning rural lands that clean the air, provide vital watersheds, and support diverse forms of wildlife among other functions.

The plan works ONLY when its two interdependent parts work together.

The Lilac Hills Ranch Project undermines both aspects of this strategy.

The General Plan alternative implements both aspects of this strategy. The only acceptable “study” of the General Plan Alternative is to study it in its entirety. The superior solution will be clear.

Specific Plan

The comments on the Specific Plan include several major concerns:

1. The Lilac Hills Ranch Project [the Project] is too large and too dense for Valley Center and Bonsall and it is improperly located. Urban densities are incompatible with the rural, agricultural location in which the Project has been sited.
2. Roads and Traffic. The road standard modifications proposed by the Project will downgrade the classification of a mobility element road [West Lilac Road] and will lower the design speeds of several road segments, both public and private. At the same time the Project will add over 5000 people and approximately 20,000 average daily trips to those narrower, slower roads causing congestion and road failure. Several Mobility Element Road segments associated with the Project will be allowed to sink to LOS E/F without mitigation because there wouldn’t be commensurate benefit realized by adding lanes.



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3. Compliance with the General Plan. The Project's Specific Plan threatens to overturn virtually every element in the County's new General Plan adopted in 2011 after 12 years of discussion, compromise and community involvement, over \$18 million in government expenditures and countless hours of effort on the part of local citizens. Approval of this Project will require damaging amendments to the General Plan and the Valley Center and Bonsall Community Plans that will be growth inducing, particularly in the western portion of Valley Center. If this Project is allowed to proceed, one has to question if there is any development that would be rejected because it violated the principles and policies of the General Plan and Community Plans. In the context of this Project, it is unclear that the General Plan is anything more than a placeholder until the next change is proposed.

4. Services and Infrastructure - Water, Schools, Fire, Wastewater Treatment—Infrastructure is expensive. Putting in new roads, adding additional lanes to a bridge, building a fire station, putting up a new school, installing sewer and waste treatment plants and building trails all cost large amounts of money. A principal reason why the General Plan Update strongly favors "compact, town center developments," while stating that it intends to limit "growth in areas without adequate roads, water and sewer service," is because of the demands on the public purse for building and then maintaining these infrastructure items over and over.

5. The Project is seeking to build a city the size of Del Mar, CA that will require an almost entirely new infrastructure—new roads, schools, sewer systems and a broad range of other infrastructure items. These infrastructure expansions are why the Valley Center Community Plan designates the North and South villages at the core of Valley Center for such housing and commercial densities. The Community Development Model also directs that kind of concentration of density and infrastructure not at the outer edge of the community as this Project proposes, but at the Valley Center core.

6...LEED-ND/Sustainable and Walkable Community. This Project still has not meaningfully addressed the requirements for LEED-ND development, although it continues to be described as "designed to meet the standards of the LEED-ND or an equivalent program." There is no equivalent program cited and the Project fails to meet any of the site location and linkage requirements listed in the LEED-ND pre-requisites and standards.



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7.The Project also cites its consistency with the Guiding Principles and the Community Development Model in the General Plan for San Diego County. However, even a cursory examination of those principles and the model show that, rather than being consistent, the Project is conversely inconsistent with both the Guiding Principles and Community Development Model. The 'community' that needs to be addressed is the Valley Center community, and the Project should be understood as an element of that community. The General Plan presently applies the Community Development Model to the Bonsall and Valley Center communities and the zoning and land use patterns within Bonsall and Valley Center are consistent with that model. The proposed addition of the LHR Project in the western portion of the Valley Center community and the east portion of the Bonsall community flouts the intention of the Community Development Model by establishing high-density development away from the community center, away from needed infrastructure, and in a designated agricultural area. The Project is leapfrog development and it does not qualify as a LEED-ND community under any reasonable interpretation of those standards.

8.Agriculture— The General Plan Update of 2011 has set aside the area where The Project would be built as a place for agriculture and other rural and semi rural uses. In contrast to the claims made by the Project applicants, the area is not characterized by historical agricultural activity. It is a present-day agricultural area with a long, continuous history of agriculture. Avocado, citrus, cactus commercial nurseries and other farm operations are located in and around the Project areas. These agricultural uses attract insect and fungal infestations, which mean that aerial spraying is often necessary. Spraying could pose a danger to sensitive individuals living in the area. On the other hand, prohibiting spraying would make farming nearly impossible. Building the Project at the planned site would greatly damage many currently productive and successful agricultural businesses.

Twists of meaning and lack of clarity in the plan. One of the most difficult aspects of the Project's Specific Plan is the extent to which it makes misleading claims. They would have us believe that they are building a LEED-ND or equivalent development even though The Project violates nearly all LEED-ND standards for site selection and linkage; that adding 5,000 residents to a rural, agricultural area actually improves traffic over narrow, winding rural roads; that grading and moving 4-million cubic yards of earth (enough to build a path 4-feet wide around the equator of Earth) preserves natural resources and habitat for animals.

In addition, after criticizing four previous iterations of the Specific Plan, this version continues to use conditional and indefinite language to describe aspects of the Project that should be, at this stage, unconditional and definite. It seems as if the applicants want us to review and approve a suggestion, or a concept rather than a specific plan that defines their intentions.



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There are many other concerns addressed in the Specific Plan comment document. They range from the size and type of parks in the Project to the Fire Protection Plan, from the Water Reclamation Facility to open space and conservation policies, from D special area regulations to circulation elements. There are too many to reasonably relate in this summary.

An indication of the severity of impact this Project has on the project site is provided by the shear volume of significant impacts, mitigable or not, listed in the table S-1 of the RDEIR Executive Summary, *SUMMARY OF SIGNIFICANT EFFECTS AND MITIGATION MEASURES TO REDUCE THE EFFECTS*. A project plagued by so many issues that will have such a drastic impact on the communities of Bonsall and Valley Center not to mention the region of north San Diego County, should not proceed any farther toward approval.

Submitted by:

Margarette Morgan, Chair
Bonsall Sponsor Group



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VIA EMAIL

July 28, 2014

Mark Slovick, Project Manager
County of San Diego Planning and Development Services
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(858) 495-5172

Subject: DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS 2012-3800-12-001 (GPA), PDS 12-3810-12-001 (SP) – General Plan and Community Plan Inconsistencies

Dear Mr. Slovick –

Inconsistency is evidence that an inconsistent project will have significant environmental effects and if the inconsistency has not been analyzed. The inconsistencies may, or do need to be cured before the project can be approved. Project must satisfy mandatory general plan policy that is fundamental and unambiguous.

The General Plan policies requiring amendment in order to accommodate this inconsistent project will require revision of the San Diego County General Plan (GP) with appropriate comprehensive environmental review or new GP Environmental Impact Report (EIR) of associated impacts throughout the County.

These and previous comments have challenged the logic exhibited throughout the Specific Plan and now in the DEIR: that amending a particular GP Regional Category to suit the project somehow also reconciles the project's inconsistencies with a wide array of General and Community Plan Goals and Policies.

The proposed SP/GPA is inconsistent in fundamental ways with the San Diego County General Plan and the Bonsall and Valley Center Community Plans. The DEIR is derelict in concluding that "Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant" (DEIR Chapter 3 Environmental Effects Found Not to be Significant p. 3-65). This project creates multiple inconsistencies with the GP the Bonsall and Valley Center Community Plans and a "reasonable person" could not find this project to be consistent with either the GP or the community plans.



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QUESTION: Why has the DEIR failed to perform the analyses required for decision makers, first, to understand the parameter of this proposal, and second, to appreciate the nature and reach of its impacts it does not have a rudimentary analysis of Consistency with the General Plan?

QUESTION: Why has this plan not met the internal consistency of all County General Plans in California as required by California State Law? The Specific Plan in particular requires amendments to the adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designation and road classifications, principles, elements, goals and policies.

QUESTION: Why was the Specific Plan not in compliance with CEQA? A DEIR must examine consistency issues including the web of interconnected and mutual-supporting elements, goals, policies and maps of the County General Plan. 14 Cal. Code Regs. Section 15125 (d). The inconsistency requires denial of the project, re-design of the project or amending the General Plan.

QUESTION: Does this mean that all communities will need to make major changes to the Land Use, Mobility and Safety Elements in the San Diego County General Plan to achieve consistency with the proposed Specific Plan and will it require revisiting the environmental impacts of the entire San Diego County General Plan specifically the amendments or will the county invalidate the General Plan based upon internal consistency defects?

QUESTION: The GP, and Community Plans are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts. Why was this statement regarding the GP, and Community Plans allowed to be published as fact? The project will require rejecting the GP's foundational vision of smart growth and eliminating many of its supporting policies.

One of the most glaring inconsistencies is its failure to comply with land use goal LU-1 and Policy LU-1-2.

Land Use Element Goal LU-1.2: Primacy of the Land Use Element. A land use plan And development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.

Land Use Element Policy LU-1.2: Leapfrog Development. Prohibit leapfrog development Which is inconsistent with the Community Development Model? Leapfrog Development Restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED-Neighborhood Development Certification (LEED ND) or an equivalent.



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This Policy defines, leapfrog development as Village densities located away from established Villages or outside established water and sewer service boundaries. How could the Specific Plan and the statements in the DEIR be consistent with the Land Use Element Goal LU-1.2 or Land Use Element Policy LU-1.2?

The DEIR for this SP/GPA asserts that the project is consistent with GP Policy LU-1.2, but this is clearly not the case. The SP/GPA fails in the most fundamental ways to respect the County's commitment to sustainable development.

Project is inconsistent with the GP Community Development Model

Project is inconsistent with LEED ND standards,

Project is inconsistent with the 3rd requirement for waiving the prohibition on Leapfrog development: provide necessary services and facilities.

Project requires (10) modifications to County Road Standards to reduce capacities to sub-standard levels

Traffic is deemed unmitigable by the DEIR and

Project fails to meet 5 minute response times for Fire & Emergency Medical Services

The proposal, by definition, is inconsistent with the GP as the Community Development Model is not a moveable abstract concept or a complex of planning principles and ideas that are used only when it suits the developer?

QUESTION: The following are additional inconsistencies that are not answered why?

1. Community Development Model requires a "feathering" "buffering" of residential densities from intense Village development
2. Project is located many miles from areas that are employment centers, shopping, Entertainment, medical services, and civic organizations and activities
3. All I need to say is where is the infrastructure for this project with requesting capacities of these roads
4. Why is the Community Plan not being considered? The intent is to intensify development in existing Villages and this framework is ignored in this DEIR
5. The most unbelievable is that the claim that this project is not growth inducing how could anyone with reasonable intelligence not see this as growth inducing? All one needs to do is look at the density on the plan now and then what is proposed understand that this is growth inducing



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6. The project design defies the GP principles, goals and policies for Village development Which the Community Development Model reflects
7. The project will create 8 miles of edge effects that will threaten surrounding agriculture, horticulture and animal husbandry that is designated in area for semi-rural and rural development and is growth inducing
8. The project does not support the “walk-able” claim as housing areas are at least a mile from what the Community Development Model

Please answer clearly each of the above 8 (8) questions.

Accretive SP/GPA is inconsistent with LEED Neighborhood Development Certification standards

This is a critical requirement for this project without meaningful analyses required by CEQA. The DEIR merely asserts compliance with LEED-Neighborhood Development requirement. The County is required to name the standard and show how it is equivalent where is that “equivalent standard” as policy LU1-2 allows?

QUESTION: Please state in writing what the standard the County is using?

Please read the booklet describing the requirement to meet LEED the book is titled LEED 2009 for Neighborhood Development that analyzes consistency, the publication states exacting standards and illustrated in detail. The booklet is published by the U.S. Green Building Council and is available on its website, USGBC.org

The following are requirements for Accretive/Lilac Hills Ranch to achieve LEED ND Certification.

- Prerequisite 1 Smart Location
- Prerequisite 2 Imperiled Species and Ecological Communities
- Prerequisite 3 Wetland and Water Body Conservation
- Prerequisite 4 Agricultural Land Conservation
- Prerequisite 5 Floodplain Avoidance

QUESTION: None of the fundamental requirements have been meet. Why would the County allow the project to go forward stating that the project will be LEED ND without the analyses?



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QUESTION: Why does the DEIR not discuss and analyze the GP Guiding Principles (GP pp. 2-6 through 2-15), but merely cursorily sets them out and in some cases, without analysis of the factual aspects of the Accretive project, asserts compliance? Please answer all of the Guiding Principles and how this project meets them.

Guiding Principle 1: Please answer how this project supports a reasonable share of regional population growth? (GP p. 2-6)

Guiding Principle 2: Please answer how this project promotes health and sustainability by locating new growth near existing and planned infrastructure, services and jobs in compact pattern of development?

Guiding Principle 3: Please answer in detail how this project can reinforce the vitality, local economy, and individual character of existing communities when planning new housing employment, and recreational opportunities?

Guiding Principle 4: Please answer how this project promotes environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance? (GP 2-10)

Guiding Principle 5: Please answer in detail how this project ensures that development accounts for physical constraints and the natural hazards of the land. (GP 2-11) How does bulldozing 4 million cubic yards of natural hills to make manufactured slopes meet this principle?

Guiding Principle 6: Please provide information on how the project will provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation?

Guiding Principle 7: How does this project maintain environmentally sustainable communities and reduce green house gas emissions that contribute to climate change? (GP p. 2-12)

Guiding Principle 8: How does this project preserve agriculture as an integral component of the region's economy, character, and open space network? (GP p. 2-13)

Guiding Principle 9: How would this project minimize public costs of infrastructure and services and correlate their timing with new development? (GP p. 2-14)



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Guiding Principle 10: Please explain how this project recognizes community stakeholder interests while striving for consensus? (GP p. 2-14)

QUESTION: PLEASE EXPLAIN IN DETAIL WHY THE COUNTY PLANNING STAFF IDENTIFIED 121 GP POLICY CONFLICTS WITH THIS PROJECT IN THE SCOPING LETTER, THESE CONFLICTS ARE NOT ANALYZED IN THE DEIR OR THE SPECIFIC PLAN?

QUESTION: There are limited consistency analysis statements that appear in the DEIR however they are incomplete and insufficient please explain why?

In the plan amendment the first item to be changed is the Regional Land Use Element Map and will convert semi-rural SR-4 (one dwelling unit per 4, 8, or 16 gross acres-slope dependent) and semi-rural SR-10 (one dwelling unit per 10 or 20 gross acres – slope dependent) parcels into village residential VR 2.9 (up to 17 dwelling units per acre) and village core C-5 land uses with commercial and urban densities.

QUESTION: Why would this amendment item be allowed as these kinds of land uses aren't permitted in Bonsall?

The second change is to be made to the Bonsall Community Plan Map (a component of the General Plan). The land uses must be changed from agricultural and rural residential to urban uses. There is no other way for the project to be consistent with the Bonsall Map. Our plan has all of our GP approved village uses along Highway 76 miles from this project and we do not have any urban uses in the Bonsall Community Plan.

QUESTION: Why after 13 years of working with the County and the member of the Bonsall community would staff assume that we would approve an urban use on agricultural land?

The SP/GPA text, and the original Draft Environmental Impact Report (DEIR 2013) and now in the REVISED DEIR (DEIR 2014) CLAIMS THAT A CHANGE OF Regional Category – from Semi Rural to Village - magically reconciles the project's inconsistencies with the intent of the Community Development Model please explain in detail how this was achieved? This project as submitted was inconsistent and remains inconsistent why has it not be denied? San Diego County's mandate in its performance of CEQA's purpose is not to deny inconsistencies in order to avoid analysis and ease approval of the project. How can staff honestly reckon this and state it would **be less than significant**? The project is inconsistent with the General Plan Vision, Guiding Principles the Community Development Model the Goals and Policies that are meant to implement these ideas across the GP the CP and eight elements within the documents: Land Use, Mobility, Conservation and Open Space Housing, Safety, Agricultural and Noise.

QUESTION: Explain how can this be less than significant?



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This project does not meet the County General Plan in its “Smart Growth” intention as Smart Growth located future development in areas where infrastructure is established; AND on the other hand, Smart Growth also is to retain or enhance the County’s rural character, economy, environmental resources, and unique communities.

QUESTION: How does this project achieve this intention?

The Accretive SP/GPA is inconsistent with assigned Regional Categories and the adopted application of the Community Development Model and does not meet exemption criteria.

QUESTION: The DEIR 2014 suggests that the GP Community Development Model has no significant effect and can be consistent with the existing General and Community Plans by re-categorizing this site it just eliminates the need to analyze any planning impacts how can that be? Does that mean that the adopted Regional Categories and plans for the communities of Bonsall and Valley Center have any effect on these communities? The DEIR 2014 denies the existing planning condition that is supposed to analyze against this proposal to amend it how can that be achieved?

New “Villages” is INCONSISTENT with this project and can only be achieved by amending the adopted General and Community Plans to fit the project.

QUESTION: Please identify and analyze why staff denied the impacts?

As in the DEIR 2014 the assertion “without a shred of evidence” that the new condition is consistent with the Community Developmental Model and then leaps from this assertion to the next assertion that the consistency with all the Goals and Policies is inferred by consistency with the Model.

QUESTION Explain in detail how this is logical and what process of thinking was used BASED ON THE GP STATEMENT BELOW?

The General Plan states (San Diego County General Plan: Land Use Framework; Community Development Model, p.3-6): *“The Community Development Model directs the highest intensities and greatest mix of new uses to Village areas, while directing lower-intensity uses such as estate-style residential lots and agricultural and agricultural operations to Semi-Rural areas To facilitate a regional perspective the Regional Categories of Village, Semi-Rural and Rural Lands have been applied to all privately-owned lands ...”*

First, as the above statement in the County General Plan makes clear, the Community Development Model is not a moveable abstract concept. The General Plan has already assigned regional categories to the Bonsall and Valley Center planning areas, both of which are defined by the Community Development Model, each with a higher density village core surrounded by lower density semi-rural and rural uses. To have this Project foisted between these two specified communities disrupts the integrity of the Community Development Model and the General Plan that describes it. If the General Plan and the Community Development Model can be so easily and wantonly abrogated, then Village “puzzle pieces” could be dropped into Semi-Rural and Rural lands anywhere in the County, without regard to existing village centers, and pronounced consistent with the Community Development Model.



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Rather, the Community Development Model reflects a complex of planning principles and ideas that are expressed through the General Plan's Regional Categories. It is the assignment of a particular Regional Land Use Category to a particular piece of land that this SP/GPA proposes to amend. The proposal therefore is inconsistent with the Community Development Model. Again, consistency would be achieved only by amending the General Plan to fit the project.

The next criteria the Accretive SP/GPA is inconsistent with is LEED Neighborhood Development Certification standards. In prior comments in this documents Bonsall states compliance with LEED-Neighborhood Development requirements have not be meet. The County must comprehensively address numerous and exacting requirements of LEED Neighborhood Development Certification.

QUESTION: If the County is applying not LEED ND but an "equivalent standard" as policy LU 1-2 allows, the analysis should name the standard and show how it is equivalent where is the "equivalent standard" analysis? This project does not meet the LEED Neighborhood Development Certification as I have mentioned in this document please explain your theory of how this project meets the legal definition of LEED ND?

Part of the criteria that Accretive SP/GPA fails to provide is Roads for the traffic impacts which will be significant. Why would the County allow the applicant to request 10 (10) modifications to REDUCE the road standards yet expand the capacity to a sub-standard level?

QUESTION How does the County consider this option for the project please explain in detail the rationale behind this significant impact to our communities?

The projects fails to meet the required 5 minute response time for Fire and Emergency Medical Services and documentation is provided by Deer Springs Fire Protection District as well as their comments in writing that none of the proposed options listed in the Specific Plan and Fire Protection Plan are feasible solutions for the District.

QUESTION: How does the County Fire Authority rationalize this major concern and comments from the local district?

The proximity of Rural Lands and being in the SRA the project presents wildfire threats which has not been adequately mitigated. The two story structures and EMS hazard potential in a wildfire has barely been mentioned in the documents. Once again Deer Springs Fire Protection District has gone on record three times stating that DSFPD has major issues with the project as proposed.

QUESTION: What has happened to Public Safety and the State Fire Code with this project?

QUESTION: Please explain why the project fails to present a legal and viable point design for sewage and waste water treatment?



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The project does not support the Guiding Principle 1. Support a reasonable share of regional population growth.

Apparently, the folks who wrote this section of the RDEIR have not lived in southern California for long, are unaware of the history of development here and/or do not understand the need to consider growth inducement. The DEIR version from July 2013 made the statement that “While the project site and surrounding areas are not identified in the General Plan for growth, it is a location where such growth is likely to occur because the project area can accommodate the growth.” Such tortured, circular logic makes any reasonable explanation for the conclusion unattainable. But, it is emblematic of the kind of obtuse logic that is used throughout the RDEIR in 2014. Growth can occur anywhere we choose to place it. We, as a community, make such determinations about the location and types of growth based on land use planning, zoning and community consensus. That is how we arrived at the General Plan [it took 12 years and \$18.6 million to do it]. To ignore the General Plan simply because growth can occur at a given place begs the question why have a General Plan at all?

QUESTION: Please explain how this conclusion was reached? The California legislature reasonably concluded that each county must have a general plan to guide growth, hopefully logically, but at least, in an ordered way. Prospective property owners are able to go to the General Plan to determine what kind of development is likely to occur around the property they wish to buy. That kind of research is useless if the General Plan can be drastically changed before the ink is dry on its first printing.

The Project fails to meet the criteria of a village as defined in the General Plan. It is neither compact [generally 2-miles long by 1-mile wide with a perimeter that would make an amoeba proud] nor is it, “...where a higher intensity and a wide range of land uses are established, or have been planned.” The General Plan and community plans recognize the Project site as low-density agricultural land that is between the two established communities of Valley Center and Bonsall, and designate it to remain that way.

The Project will require the “extension” of several public services. While water for irrigation of the presently agricultural land within the Project can be converted for the Project’s use, there is no existing sewer infrastructure on or near the site. The applicant is asking for a possible package plant on-site with possible connections to the Lower Moosa Canyon Water Reclamation Facility some distance away. That facility will have to be upgraded substantially to tertiary treatment standards to furnish the needs of the Project. The upgrade will require a new permit from the Regional Water Quality Control Board. **HOW would growth not be induced by such an enlargement of and upgrade to the facility? Please explain how you reached the conclusion that this action would not create higher density in the surrounding area?**

QUESTION: Please clarify why expansion of the LMWRF caused by the Lilac Hills Ranch project is not growth inducing in 2014, as the County found it to be in 1996? Does the County now reject the example that it cited in CEQA that expansion of infrastructure removes obstacles to population growth and is, therefore, growth inducing?



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Further, the County has not demonstrated that Sewer Service can be provided for the proposed Project in the time frames that the Lilac Hills Ranch Project requires service, nor has it quantified the Environmental Impact of providing Sewer service please explain why this was not done?

The RDEIR 1.8.5 Conclusion rightly notes that the intensification of land uses on the Project site will encourage intensification on agricultural land uses in the immediate vicinity. Agriculture will not be able to operate as efficiently with the scores of sensitive receptors presented by the project limiting processes and procedures that are essential for efficient and cost competitive production. The inefficiencies resulting from the sensitive receptors and inadequate agricultural buffers for the Project will incline the farmers to calculate the potential profit to be gained by changing the land use designation and densities for their properties and to sell out.

QUESTION: How is that not growth inducement?

This project is unnecessary growth that is outside the needs expressed in the General and Community Plans through the year 2050, this Project will, indeed, be growth inducing in the surrounding area. If approved, this Project will be cited by future projects proposed for its borders and environs as justification for extension of urban densities in the rural areas of Valley Center and Bonsall. In fact, this Project's Specific Plan cited the presence of several other clustered developments north and south of its location along the I-15 corridor as a legitimate, consistent basis for approving the Lilac Hills Ranch project. Yes, this is how growth inducement works.

QUESTION: How does the County see it any other way?

Bonsall Housing Units as reflected in the August 2011 General Plan are growing 59% from 2010 to 2050, *nearly 2 times* the rate of the County overall. The combined effects of adding Lilac Hills Ranch in addition to General Plan growth is provided in Table 1-2 below:



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Table 1-2 Bonsall and Valley Center Composite Housing Unit Analysis

	<i>Housing Units</i>				% Growth from 2010		
	2010	2020	2030	2050	2010 to 2020	2020 to 2030	2010 to 2050
Bonsall	3,875	4,320	5,149	6,151	11.5%	19.2%	58.7%
Valley Center	6,638	7,627	9,795	13,411	14.9%	28.4%	102.0%
Subtotal General Plan	10,513	11,947	14,944	19,562	13.6%	25.1%	86.1%
Lilac Hills Ranch (LHR)		746	1,746	1,746			
Total GP with LHR included	10,513	12,893	16,690	21,308	22%	29.5%	102.7%
Reference: SD County growth	1,158,076	1,262,488	1,369,807	1,529,090	9.0%	8.5%	32.0%

PLEASE EXPLAIN THE GROWTH INDUCEMENT OF THIS PROJECT THAT WOULD CREATE THE NUMBERS THAT ARE ABOVE AND BEYOND THE HOUSING UNIT ANALYSIS AS STATED IN THE GENERAL PLAN?

The LHR project is not needed for the County of San Diego to meet the growth requirements defined in the August 3, 2011 San Diego County General Plan either for Valley Center, Bonsall, the entire Unincorporated area of San Diego, or the entire County of San Diego.

QUESTION: Please explain in detail why this project is being considered?



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LAND USE ELEMENT

LU-2.3 Development Densities and Lot Sizes: *“Assign densities and minimum lot sizes in a manner that is compatible with the character of each unincorporated community.”*

Comment-INCONSISTENT: This is another demonstration of the interwoven fabric of the GP. Densities and lot sizes reflect community character. Bonsall’s community character is primarily rural, exemplifying the Community Development Model at the heart of the GP. Urban densities and lot sizes proposed by this Project are inconsistent with the Semi-Rural land use designations established by the GP and CP for this area.

QUESTION: Why is this project allowed to proceed with urban densities with clear statements in the GP against this type of project?

LU-2.4 Relationship of Land Uses to Community Character: *“Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles.”*

Comment-INCONSISTENT: This is yet another demonstration of the interwoven fabric of the GP. Requiring projects to comply with the applicable Community Plan is the most effective way to meet the GP Goal LU-2, to maintain the county’s rural character. Bonsall’s community character is primarily rural, exemplifying the Community Development Model at the heart of the GP. This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles, as previously pointed out.

QUESTION: The clear description of the Regional Category or Land Use Designation described in LU-2.4 does not allow this type of project to be consistent with the GP or CP’s why is this project allowed to move forward?

LU-5.3 Rural Land Preservation: *“Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations.”*

Comment-INCONSISTENT: If this Project proposed development consistent with its existing Land Use Designations, it would still be required by this provision to “preserve,” not destroy. The proposed project destroys even more open space, agricultural lands, wildlife habitat and corridors, and watersheds than it would be allowed with consistent development, by its urbanized design, density, and size, as previously pointed out. Urban densities and lot sizes proposed by this Project are inconsistent with the Semi-Rural land use designations established by the GP and CP for this area.

QUESTION: Please explain how the County can see this project as consistent with LU-6.3?



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LU-6.1 - Environmental Sustainability: *“Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.”*

Comment- INCONSISTENT

There have been thirteen (13) Group 1 animal ‘species of concern’ observed on the Accretive project site. They include lizards, snakes, raptors, small mammals, large mammals and passerine birds. Most of the wildlife surveys conducted focused on the proposed open space areas, brushing over the considerable land area devoted to agriculture as being disturbed. Of the 608-acres on the Project site, 504-acres will be graded, cut and filled, for the construction of the Project.

The DEIR acknowledges the significant impact to these 13 species [and presumably to other species numerous enough not to be of concern], and particularly the raptors [white-tailed kite, Cooper’s hawk, turkey vulture] and the loss of 504-acres of foraging area [including agricultural areas]. The DEIR dismisses this loss with 81.7-acres of on- and off-site mitigation area [presumably already populated by members of these species with whom the Project’s individuals will compete], a substantial differential from the complete 608-acres. Many of the individuals of the 13 species will be killed during construction operations, particularly the smaller, less mobile animals. Others will be forced into new territory. Of the larger animals, they will be forced to compete with others of their species in substantially less area.

So, the Project is not protecting sensitive natural resources except those that it is prohibited from completely destroying [largely, riparian wetlands]. Such practices of building urban density projects in rural and even agricultural areas will ultimately decimate the natural environment is this the goal of the County with this project?

LU-6.4 Sustainable Subdivision Design: *“Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and when appropriate, provide public amenities. [See applicable community plan for possible relevant policies.]”*



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Comment-INCONSISTENT: The Accretive Project instead proposes the minimum required open space, eliminates existing and imperils adjacent agricultural operations, and substantially worsens fire safety and defensibility, as shown by the Deer Springs Fire District comments. Instead of reducing impervious footprints, it proposes 1746 residential units etc., covering 504 of its 608 acres. Trumpeting “sustainable” development practices, it completely ignores the fundamental requirements of LEED ND to have a Smart Location and preserve Agriculture. The public amenities necessary to support their proposed city in the county, parks, schools, sewers, are all couched in “conceptual” terms, with built-in defaults to convert acres to still more additional residences. If, for example, the school or park sites (proposed without school and park amenities) are not accepted, the SP provides for their easy conversion to residential uses. This provision would have to be amended to allow this Project, and the DEIR would have to analyze the environmental effects countywide of such an amendment.

QUESTION: Would this project be allowed in any other part of the County?

LU-6.6 Integration of Natural Features into Project Design: *“Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.”*

Comment-INCONSISTENT

With the exception of the riparian woodlands/wetlands that must be set aside, the 4 million cubic yards of blasting and grading will obliterate any other natural features of the Project site. Once completed, the Project will resemble any urban center in the county, with little of the natural landscape remaining. Native vegetation habitats will be destroyed and mitigated off-site. Animal populations will be destroyed or shoved to the remaining riparian set-asides or off-site. Avoidance of sensitive environmental resources is minimal; destruction of this area’s natural features and mitigation elsewhere are the preferred approaches for this project, obviously inconsistent with Bonsall’s objectives.

QUESTION: Please explain how can this project be compatible with LU-6.6 with the destruction of and grading of 4 million cubic yards of soil?

LU-6.9 Development of Conformance with Topography: *“Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent possible.”*

Comment-INCONSISTENT: Could the writers of the GP and the Board of Supervisors with their approval not make more clear that the destruction of the land proposed by this Project’s over four million cubic yards of grading to destroy natural features is prohibited? The Project glorifies, not limits grading. The Project proposes to obliterate, not “not significantly alter,” the dominant physical characteristics of the site. This provision would require amendment to approve this project. The DEIR would have to analyze the environmental effects countywide of such an amendment.

QUESTION: When will the County provide the amendment?



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CONSERVATION AND OPEN SPACE ELEMENT

GOAL COS-2 Sustainability of the Natural Environment: *“Sustainable ecosystems with long-term viability to maintain natural processes, sensitive lands, and sensitive as well as common species, coupled with sustainable growth and development.”*

COMMENT-INCONSISTENT:

The Project will eliminate 504-acres of mixed native and agricultural lands that provide foraging area for numerous animal species identified in the biological resources report. This represents an incremental loss of habitat and ultimately a loss of local wildlife populations within the county and the Project site. The removal of the project site from the inventory of rural lands to create an urban village will constitute an irreversible loss and opposes the intent of sustainable development.

QUESTION: Please state how this project with the above information will be consistent with Goal COS-2?

QUESTION: There are so many inconsistent elements with this project the General Plan and the Community Plans that Bonsall could fill page after page with stated Goals and Policies that are being ignored and yet the DEIR states they are consistent please explain the logic?

Community Plan Inconsistencies

A. Community Character Goals

Goal LU-1.1 A unique balance of Bonsall's rural agriculture, estate lots, ridgelines, equestrian uses, and open space land uses within the community, including open space and low density buffers that separate the community from adjacent cities and unincorporated community and new development that conserves natural resources and topography.

Policy LU-1.1.1 Require development in the community to preserve the rural qualities of the area, minimize traffic congestion, and to not adversely affect the natural environment.

Policy P LU-1.1.2 Maintain the existing rural lifestyle by continuing the existing pattern of residential, equestrian, and agricultural uses within the Bonsall CPA.

Comment: The SP and DEIR cannot avoid the clear violation of these provisions by the fiction of merely adopting a new Map showing three Villages instead of two. The rural character of the project site, indeed all of the Planning Area, will be destroyed by plopping an urbanized area the size of Del Mar in the middle of an active agricultural area. Destruction of a designated Semi-Rural agricultural area cannot be interpreted to be “preservation.” The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy.

QUESTION: Please describe the theory and process which led the County to think these Goals and Policy's are consistent with the project?



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B. Land Use Goals RESIDENTIAL LAND USE

Goal LU-3.1 Estate lot residential development that provides adequate housing opportunities for all residents, while maintaining and enhancing the existing rural atmosphere of the community.

Policy LU-3.1.1 Require residential development application documents to show residential building pads and envelopes on all Tentative Maps for public review, along with the Health Department layouts and grading plan.

Policy LU-3.1.2 Require subdivision design to minimize adverse impacts to community character, or to the environment, and to mitigate any impacts from other constraints on the land that could not be avoided. Require mitigation actions to remain within the CPA.

Policy LU-3.1.3 Buffer residential areas from incompatible activities, which create heavy traffic, noise, dust, unsightly views, or from incompatibility with the surrounding environment.

Policy LU-3.1.4 For proposed major subdivisions, require open space easements that first are considered for agricultural or equestrian needs of the Bonsall Community.

Policy LU-3.1.5 Preserve ridgelines by siting buildings below ridges or set back with sufficient distance to minimize visual impacts. Encourage screening to visually shield all structures, including the use of vegetation, as well as appropriate and varied building materials.

Policy LU-3.1.6 Encourage the development of assisted living facilities within or adjacent to the Bonsall River Village, while maintaining a balance of assisted living and conventional residential units.

QUESTION: How does this project meet the Bonsall Land Use Goals?

C. Village Boundaries Map

Comment: The SP and DEIR cannot avoid the clear violation of the existing Map, which shows two, not three villages in Bonsall on Highway 76, by the fiction of merely adopting a new Map showing three Villages instead of two in Bonsall addresses the resulting conflicts with numerous other GP and CP provisions.

QUESTION: The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy in your answers please explain?

D. Community Conservation And Protection

Issue LU-5.1 The following policies shall govern all discretionary permit applications involving residential development within the Bonsall CPA. The intent of these policies is to set a minimum baseline for residential projects within the CPA in terms of community character and visual impacts, and these policies. In many cases, requirements in addition to those set forward are necessary and applicable on a site-specific basis.

Each policy addresses a characteristic of slope or soil type which acts as a constraint to development. For each constraint that a particular project site contains, the project must offer a



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compensating benefit, designed to ameliorate the immediate impacts of the project and provide overall benefits to the community. These benefits are of two types; limitations on grading for residential building pads, and dedications of natural open space easements, agriculture or equestrian easements over certain areas on the site. Limitations on pad grading provide benefits in terms of visual impacts, reduced storm runoff and reduced removal of soil in rocky areas which are difficult to re-vegetate. Dedications of natural open space easements provide benefits in terms of fewer visual impacts, reduced storm runoff and a reduction in erosion caused by denuding of vegetation.

Goal LU-5.1 A physical environment where degraded riparian areas have been restored and the natural topography retained.

Policy LU-5.1.1 Consider restoration and rehabilitation of former or degraded riparian areas as a form of mitigation.

Policy LU-5.1.2 Require grading to be contoured to blend with natural topography, rather than consist of straight edges.

Policy LU-5.1.3 Minimize grading to preserve natural landforms, major rock outcroppings and areas of existing mature trees. Integrate hillside development with existing topography and landforms.

Policy LU-5.1.4 Restrict, to the maximum extent feasible, extensive grading for development projects in areas with slopes that are 20 percent or greater, in order to preserve and protect the environment, and to lessen grading and erosion.

Policy LU-5.1.5 Require development on slopes to be stepped to follow and preserve topography to the maximum extent feasible.

Policy LU-5.1.6 Minimize cut and fill grading for roads and access ways to the absolute minimum necessary.

Goal LU-5.2 The preservation of groundwater resources, community character and protection of sensitive resources in the Bonsall Community Planning Area.

Policy LU-5.2.1 Require lot sizes, except through planned development, lot area averaging or specific plan projects, to be no smaller than:

- 50 percent of the density indicated on the Land Use Map, without clustering or lot averaging, for Semi Rural 4 and higher densities, or
- Four acres for Semi Rural 10 and lower densities.

Implementation LU-5.2.1 Zoning Ordinance

Example: Semi Rural 2 establishes a density of one dwelling unit per two acres. Fifty percent of that density would result in a minimum lot size of one acre.

Policy LU-5.2.2 Allow further reductions in minimum lot sizes indicated in Policy LU-5.2.1, through Planned Development, Lot Area Averaging, or Specific Plan projects only when setbacks, building scale, and design are appropriate to retain the equestrian and agricultural community character in the area.

QUESTION: Please explain the justification in ignoring our community plan its Goals and Policies?



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The Conservation Subdivision Program (CSP) encourages residential subdivision design that improves preservation of sensitive environmental resources in a balance with planned densities and community character. The CSP allows for reductions in lot size through Lot Area Averaging and Planned Residential, with specific findings and discretionary review. More information on these requirements is available in the Zoning and Subdivision Ordinances.

E. Agricultural Goals

Agricultural land is a valuable resource in Bonsall as well as San Diego County in general. If this resource is depleted or adversely impacted, it will not be replaced elsewhere due to the unique microclimates that exist throughout the area. These microclimates offer greater humidity and more uniform temperatures than found further inland. Such climatic conditions also have produced a unique soil.

Agriculture is also important in maintaining the rural character of the community. Due to the relatively small area needed for certain crops, such as avocado, citrus, meyer lemons, and grapes, agriculture may effectively coexist with residential uses. This mix of land uses serves to preserve and enhance the rural character of the area by providing a vegetation buffer between houses. Bonsall's most important commercial agricultural and equestrian activity, in terms of gross income, is avocado farming. Smaller, but commercially significant investments include horse ranching, subtropical fruit, nursery and plants. The future of agricultural land uses will be based on important marketing factors, many of which are external to the CPA or the county as a whole. There are also approximately 492 acres in agricultural preserves, established by resolution of the Board of Supervisors, pursuant to the Williamson Act of 1965. Of the 492 acres in agricultural preserves, approximately 112 acres are under Land Conservation Contract, also pursuant to the Williamson Act.

Agricultural soils and production

Goal COS-1.2 The continuation of agriculture as a prominent use throughout the Bonsall community.

Policy COS-1.2.1 Encourage the protection of areas designated for agricultural activities from scattered and incompatible urban intrusions, along with the provision of greenbelt/buffers between agricultural zoning and urban zoning.

Policy COS-1.2.2 Encourage the use of agriculture easements in the CPA, especially as part of the Conservation Subdivision Program, while maintaining community character with rural and semi-rural homes.

Policy COS-1.2.3 Require development to minimize potential conflicts with adjacent agricultural operations, through the incorporation of adequate buffers, setbacks, and project design measures to protect surrounding agriculture and support local and state right-to-farm regulations.

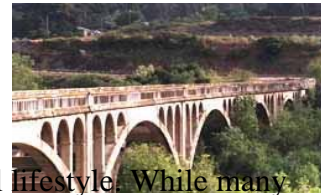


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Domestic agriculture is perhaps the most important element of the Bonsall rural lifestyle. While many thousands of acres are devoted to commercial agriculture in the CPA, only about ten percent of Bonsall families are involved in commercial farming as a primary source of economic support. There is a great demand in the Bonsall area for lots where families can raise kitchen gardens, keep pleasure horses, and raise animals for domestic use.

“Support agricultural uses and activities throughout the CPA, by providing appropriately zoned areas in order to ensure continuation of an important rural lifestyle in Valley Center. Prohibit residential development which would have an adverse impact on existing agricultural uses.”

Comment: Neither the SP nor the DEIR addresses this major thrust of both the GP and CP to “support” Agriculture, not destroy it.

QUESTION: The DEIR must, but does not, please explain and analyze the environmental effects of this discrepancy.

F. Circulation and Mobility (CM)

2.1 INTEGRATED MOBILITY AND ACCESS

Goal CM-1.1 A circulation system which preserves the rural character of the community and provides a safe, balanced transportation system, which includes automobile, bicycle, equestrian and pedestrian users.

Policy CM-1.1.1 Reduce traffic volume on roads recognized as future “poor level of service” with methods such as, but not limited to, providing alternate routes and reducing density.

Policy CM-1.1.2 Require development that increases truck traffic to use Interstate 15, State Route 76 and East Vista Way (S13), whenever feasible.

Implementation CM-1.1.1 Review discretionary project review procedures and, if necessary, modify procedures to require projects proposing an increase in truck traffic to, as a condition of approval, be required to utilize roads that are determined suitable for the particular type of truck traffic to be generated.

Policy CM-1.1.3 Coordinate with Caltrans to design and construct State Route 76, East Vista Way (S13), and Interstate 15 to efficiently carry traffic through the Bonsall CPA. Design and construct interior roads, such as Camino del Rey, West Lilac, Gopher Canyon, and Olive Hill to carry primarily local traffic and remain rural to the degree consistent with safety requirements.

Policy CM-1.1.4 Prioritize the preservation and protection of sensitive habitats, such as wetlands, over road location, relocation, or realignment. Encourage all mitigation to be on-site and site-specific. Require mitigation within the Bonsall CPA where on-site and site-specific mitigation is not appropriate, whenever feasible.

Policy CM-1.1.5 Minimize direct access points onto Mobility Element roads to produce unimpeded traffic flow in commercial areas. Require new Commercial development to provide, where possible, indirect access through the use of existing road access points, loop, or frontage roads, common driveways or similar means.

Policy CM-1.1.6 Minimize the use of cul-de-sacs in the Bonsall CPA and require new subdivisions to provide local connectivity by providing linkages for long-term circulation improvement.



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G. Conservation and Open Space (COS)

3.1 RESOURCE CONSERVATION AND MANAGEMENT

Goal COS-1.1 The preservation of the unique natural and cultural resources of Bonsall and the San Luis Rey River and associated watershed, with continued support for its traditional rural and agricultural life-style.

Policy COS-1.1.1 Encourage the preservation of all areas of critical habitat identified under the Multiple Species Conservation Program in their natural state, allowing for maintenance and/or management for fire safety.

Policy COS-1.1.2 Promote a coordinated approach to work with landowners to meet the community's needs in preserving habitat and conserving biological resources.

Policy COS-1.1.3 Encourage the conservation of water for residential use through the implementation of water saving techniques, such as xeriscaping and dual piping.

Policy COS-1.1.4 Require development to be compatible with adjacent natural preserves, sensitive habitat areas, agricultural lands, and recreation areas, or provide transition or buffer areas.

Policy COS-1.1.5 Require that landscaping be designed to prevent erosion on graded sites and, if adjacent to sensitive habitats, require re-vegetation with the appropriate drought tolerant plant species with specific restrictions on the use of any invasive species.

Policy COS-1.1.6 Encourage development to plant an appropriate variety of trees to stabilize soil conditions and contribute to atmospheric oxygen

H. COMMUNITY OPEN SPACE PLAN

Goal COS-3.1 Natural resources, including existing trees, viewsheds, rock outcroppings, foothills, and meadows, and the San Luis Rey River Valley that are protected and contribute to the character and beauty of the Bonsall community.

Policy COS-3.1.1 Encourage agricultural and equestrian open spaces and only encourage linking of open space if it is biological and supports a wildlife corridor system.

Policy COS-3.1.2 Encourage incorporation of publicly-owned land into a functional recreation/open space system, wherever feasible.

Policy COS-3.1.3 Require channelization that uses natural materials for bank protection to protect existing structures, whenever feasible. An exception may be at road crossings, and even then, natural materials shall be given preference to minimize the visual impact.

Policy COS-3.1.4 Support low intensity land use zoning in undeveloped mapped floodplains, such as agricultural and low density residential zoning, to protect downstream areas from flooding hazards to minimize impacts on wildlife habitat and to provide scenic open space.

QUESTION: These policies and goals have not been considered with the advent of this project especially Policy COS 3.2.4 WHY?



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Lilac Hills Ranch Consistency Analysis Bonsall Community Plan

General Comments:

Rather than proposing a project that is consistent with the County's General Plan (GP), the applicant has simply proposed a general plan and a community plans that are consistent with the project. The purpose of a publicly vetted County GP is to build consensus in a public forum, even if it takes a decade or more. It provides direction and certainty for landowner, developers, public service providers and the County. The introduction of a new, unplanned population in the middle of an area planned for agriculture is not consistent with regional sustainable development (e.g. infill development) nor the Live Well, San Diego health goals (e.g. cleaner air).

Furthermore, approval of this project will set a precedent that will serve as a model for future developments that also wish to ignore the County's GP. Every community planning area in the unincorporated county should be acutely concerned about the impacts on their residents from future unplanned projects that may follow suit.

The applicant is using the proposed GPA as a mitigation measure to reduce major impacts to a less than significant level. The project's consistency review uses the applicant's version of the general plan and community plans to determine consistency. This is misleading and not in the spirit of full disclosure. The consistency review for each goal and policy in the Consistency Analysis Matrix (CAM) should indicate whether the project is consistent with the existing, adopted plan. The analysis should then disclose consistency under the applicant's GPA, if it is adopted.

The Community Development Model is described as a Village surrounded by areas of lesser intensity. Outside of the Village, Semi-Rural areas would contain low-density residential neighborhoods, small-scale agricultural operations, and rural commercial businesses.

Leapfrog development is defined as village densities located away from established villages or established water and sewer boundaries.

QUESTION: The GP prohibits leapfrog development that is inconsistent with the Community Development Model. But, in practice (this project for example), isn't the Community Development Model simply village densities located away from other established villages and separated by semi-rural and/or rural lands?



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Thus, any project that proposes village densities in a semi-rural area (leapfrog development) would meet the criteria of the Community Development Model (a Village surrounded by areas of less intensity).

QUESTION: Therefore, the prohibition against leapfrog development is meaningless unless the County can explain away the GP and the Community Plans is that what is being done with this project?.

One might argue that a Village is more than village densities, that the Village would contain a broad range of pedestrian scale commercial and civic uses that are connected to residential neighborhoods through a network of local roads, bicycle lanes and walkways, but if the Village or some portion (town center?) is proposed as Mixed Use with the potential to be developed as residential or commercial, the problem is solved.

The applicant has used this loop hole to claim the project as an exception to leapfrog development. If the project only consisted of residences at village densities, it might be viewed as less than a Village. True, the first phase to be built will consist only of homes. The part of the project that distinguishes it as an actual village with a town center (the part that allows this whole project to qualify as an exception to leapfrog development) may or may not be built, depending on the market. If the "town center" never comes to pass, Bonsall and Valley Center has inherited another dense residential subdivision in the middle of the rural lands the community wanted to preserve. Because the town center is the reason that this project is being considered, there needs to be a mechanism in place to assure that the town center phase is built and that it is built within a few years of the first phase, thereby providing the civic and commercial services to the residents that makes this development a village.

QUESTION: Will the County do this if the project is approved? For example, the Specific Plan would not vest until building permits were pulled for the town center or the County could enter into a development agreement that would specify this requirement.

The GP update identified Villages by existing land use patterns. Typically the Village was identified as the heart of the community planning area where established commercial and/or civic uses had evolved and residential density were higher than surrounding lands. The Village was delineated as a compact development where uses, rather than ownership, determined the regional category. Often parcels that were not developed were included in the Village by virtue of their adjacency and similarity in features to other parcels in the Village. This also gave the Village the growth potential to support future development.

The unusual shape of the Village proposed for this project and the fact that phases 4 and 5 are only contiguous to the rest of the Village by a single corner suggest that neighboring parcels, especially those to the west of phases 4 and 5, may have a good argument for a change to their regional category as well. There are no major physical differences or even logical divisions such as waterways or roads, only ownership boundaries.



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Finally, no other Village in the unincorporated County is split between two community planning areas. For issues not addressed in the Specific Plan, one portion of the Village will be subject to the Bonsall Community Plan and the Sponsor Group while the rest is subject to the Valley Center Community Plan and Planning Group. This split could result in some difficult and unintended consequences.

QUESTION: How will this be resolved?

Bonsall Community Plan

Commercial, Industrial and Accessory Uses

Goal LU-4.1 Residential, commercial and other development that is compatible with the rural environment and enhances the community's quality of life. All commercial uses have aesthetically pleasing and functionally adequate operations with appropriate onsite parking, internal circulation, setbacks and landscaping and do not cause any adverse impacts on neighborhood properties such as visual unsightliness, excessive noise, unpleasant odors, air pollution, health hazards, etc.

Policy LU-4.1.1 Require the design of commercial development to enhance the character of a rural village and not take on an urban type design.

Policy LU-4.1.2 Require commercial development to be compatible with the rural environment and enhance the community's quality of life. Require all commercial uses to have aesthetically pleasing and functionally adequate operations with appropriate onsite parking, internal circulation, setbacks, and landscaping; and not cause any adverse impacts on neighborhood properties.

Policy LU-4.1.3 Prohibit commercial development in Bonsall that principally serves regional needs, rather than the needs of the local community.

Policy LU-4.1.5 All accessory uses should have minimal impacts, and be compatible with the surrounding neighborhood and the rural community character. Accessory uses subject to a discretionary permit should be compatible with the neighborhood, including factors such as health, safety, nuisance and noise.

Policy LU-4.1.6 Prohibit those commercial activities, which generate visual unsightliness, excessive noise, unpleasant odors, air pollution, health hazards, and do not comply with internal or screened onsite parking.

Policy LU-4.1.7 Discourage incompatible land uses on areas of agricultural use and land suitable for agricultural usage.

Policy LU-4.1.8 Restrict uses such as sand mining in the Semi Rural designated areas so that adverse impacts to conservation, circulation, safety, and community character (including tranquility, quiet, and low congestion) do not occur, unless mitigated or overriding findings are made pursuant to the California Environmental Quality Act (CEQA).

Policy LU-4.1.9 Require Commercial development to provide buffers between adjacent residential areas; this can be accomplished through increased setbacks or other techniques such as grade differentials, walls, and/or landscaping.



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As neither the SP nor the DEIR is clear as to which design standards apply. The SP purports to override all county documents and states it prevails over any inconsistent provisions in the GP, Bonsall and VCCP, ordinances or design guidelines. In other places, it states some aspect of the project is consistent with the Design Guidelines, implying that they would, nevertheless, be applicable. The many pictures, instead of clear text, clearly show urbanized design, out of scale and character for a rural community. The massive grading replaces natural hills with manufactured slopes to accommodate urban design, ignoring natural topography for both roads and residences. The request for deviations from road standards is also in direct conflict with these provisions in the Community Plan. The CAM does not include Policies 5 (as stated in the Project Issue Checklist) or Policy 6 for consistency analysis. The DEIR must, but does not, explain and analyze the environmental effects of these discrepancies.

QUESTION: The Bonsall Sponsor Group requests the County answer this question and define which standards apply.

Biological – The Bonsall Sponsor Group agrees with the Valley Center Planning Group comments and instead of copying it in our submission we refer to it with our agreement and support of all comments included.

Plan Amendments

This section of the RDEIR is a tricky one. This is the section in which the County identifies the very substantial amendments to existing planning documents that must be made in order for the Lilac Hills Ranch project [the Project] to be approved and considered as consistent with those same documents. I said it was tricky.

It's analogous to changing the rules in soccer so that the opposing team must play without a goalie in order for your team to win. We in Bonsall are hoping that the County government that represents us will defend from assault the governing documents that are in place to act as the standard for land use and development.

The first item to be changed is the Regional Land Use Element Map. This change will convert semi-rural SR-4 [one dwelling unit per 4, 8, or 16 gross acres – slope dependent] and semi-rural SR-10 [one dwelling unit per 10 or 20 gross acres – slope dependent] parcels into village residential VR 2.9 [up to 17 dwelling units per acre] and village core C-5 land uses with commercial and urban densities. These kinds of land uses aren't permitted now in the Lilac Triangle where the Project is proposed according to the current Regional Land Use Element Map.

QUESTION: Will the General Plan and the Map be amended to permit the changed land uses for this project if approved and all other projects throughout the county as the GP and all that is part of it is destroyed?



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Further, this change of land uses flies in the face of the Community Development Model as it is applied in Valley Center and Bonsall. In those two communities, the high-density village cores feather out to semi-rural and rural land uses at the margins of both planning areas according to the Community Development Model. Strangely, that is precisely where the applicant is determined to build another village center in complete contradiction to the Model. The logic of such a move is so perverse that it defies explanation. To pursue a high-density urban community precisely where the Community Development Model places very low density rural land uses is astonishingly audacious. One explanation for the move is that the applicant has intended to remove the General Plan goal by changing the Regional Land Use Element Map to allow an urban development on green field, agricultural lands expected to buffer the village centers of Valley Center and Bonsall.

QUESTION: What is the County's purpose in allowing such a misplaced Project to advance through the approval process when it is predicated on destroying the GP and the Community Plans?

The second change to be made is to the Bonsall Sponsor Group Map [a component of the General Plan]. The land uses must be changed from rural uses to urban uses and to allow a third village within the planning area for this Project to advance. There is no other way for the Project to be consistent with the Bonsall Map except to modify it to conform to the Project.

QUESTION: This is not planning. We in Bonsall have the understanding that projects should conform to the General Plan and the community plan, not the other way around. Is this not the County's understanding? And, if not, why not?

The third change is similar to the second except the bald faced affront is to the Bonsall Community Plan Map. Again, it is the plan conforming to the Project rather than the other way around. And this Project is replete with significant impacts that must be explained away in order to move forward.

The next change is to the General Plan Mobility Element road classification of West Lilac Road from 2.2C to 2.2F along the Project's northern border. The current plan for that section of West Lilac Road is a 2.2C road. A 2.2C road is a two-lane road with intermittent turn lanes, 8-foot shoulders, bike lanes and a pedestrian path. The request to down grade the road classification to 2.2F would make it a two-lane road with virtually no shoulders, bike lanes or turn lanes. The 2.2F would be less costly to build because it would require fewer features and the taking of less private land by eminent domain. However, since the County depends on developers to build new roads and improve existing ones as a condition of development, why would the County consider a downgrading of the standards for this section of West Lilac Road?

Not only will the size of the road be reduced, but, so will its design speed, from 40 mph to 25 mph.

QUESTION: Why would the County consider reducing the design speed of West Lilac Road so drastically given its significance as a Mobility Element Road and its importance as a community evacuation route?



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Growth Inducing Impacts

Apparently, the folks who wrote this section of the RDEIR have not lived in southern California for long, are unaware of the history of development here and/or do not understand the need to consider growth inducement. The DEIR version from July 2013 made the statement that “While the project site and surrounding areas are not identified in the General Plan for growth, it is a location where such growth is likely to occur because the project area can accommodate the growth.” Such tortured, circular logic makes any reasonable explanation for the conclusion unattainable. But, it is emblematic of the kind of obtuse logic that is used throughout the RDEIR in 2014. Growth can occur anywhere we choose to place it. We, as a community, make such determinations about the location and types of growth based on land use planning, zoning and community consensus. That is how we arrived at the General Plan [it took 12 years and \$18.6 million to do it]. To ignore the General Plan simply because growth can occur at a given place begs the question why have a General Plan at all? The California legislature reasonably concluded that each county must have a general plan to guide growth, hopefully logically, but at least, in an ordered way. Prospective property owners are able to go to the General Plan to determine what kind of development is likely to occur around the property they wish to buy. That kind of research is useless if the General Plan can be drastically changed before the ink is dry on its first printing.

1.8.1 Growth Inducing Impacts Due to General Plan Amendment (Increases in Density)

The proposed addition of 1746 equivalent dwelling units [EDU] could take place virtually anywhere in the County using the fast and loose justification presented in this RDEIR. Of course, maybe that is the plan: approve a general plan, any general plan, and then simply change it when it is convenient to do so. It's much less messy than debating the best course for the County's land use plan, arriving at some consensus and then defending the plan in the face of development requests that have no intention of addressing, much less complying, with the General Plan.

QUESTION: Why is the County failing to defend the goals and policies of the General Plan when confronted with projects such as this one? Where in the General Plan does it offer a pass for projects that, like this one, fail to comply with so many of the goals and policies of the plan?

If this Project is approved, the County will be opening the surrounding 2-, 4-, 10+-acre parcels to more intense densities based on the justification that the project is at village densities, and the upzoning of surrounding property would be a consistent ‘feathering’ of the higher village densities of the project outwards. It sounds circular. And, it is. The County Community Development Model requires higher densities at an established village core with gradually decreasing densities as one moves to the periphery of the community. Of course, this project is not consistent with the Community Development Model itself. Dropping such a large, urban development into rural, agricultural land, which is itself the periphery of the Valley Center and Bonsall communities, defeats the concept of concentrating density at the established village core.



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By this logic, a so-called ‘Community Development Model’ community could be plunked down anywhere there are a few acres of agricultural land between existing communities, regardless of the disruption it causes to established communities. “Communities,” such as the one Accretive proposes to build, on valuable agricultural land where most of the infrastructure to sustain it will have to be built for the project, subverts the intent and purpose of the Model.

The DEIR of July 2013 continues, “*Approval of the Property Specific Requests[PSR] could result in an increase of approximately 1598 additional dwelling units throughout the regional area. Therefore, the Project’s proposed density would not induce the growth in this portion of the county.*” First, basing a justification for not inducing growth on the prospect of an approval of the Property Specific Requests is fanciful. What if it is not approved? Will the project induce growth then? Second, there is no definition of what the “regional area” is, nor any analysis of how the possible addition of 1598 EDU could relieve the area surrounding this project from growth inducement. It seems more likely that the Property Specific Requests are seen as an excuse, “Well, they are adding EDU, so why can’t we?” Are we to just take the County’s word that adding 1598 EDU as a result of granting approval for the PSRs will not cause the Project to induce growth? Are not the Property Specific Requests merely an assault on the General Plan by the Board of Supervisors at the request of individual property owners trying to squeeze even more potential density out of properties designated for other uses by the consensus-built General Plan?

QUESTION: Can you please try to answer the questions in a real clear manor?

In the RDEIR, “...growth inducement could occur if the project and all associated infrastructure improvements directly or indirectly remove obstacles to growth, or otherwise increase the demand for additional growth in the area around the project.” If the project is approved, it will have the effect of removing the planning ‘barriers’ established in the General Plan and Valley Center and Bonsall Community Plans that reserved the Project site for agricultural use at the periphery of those two village centers. Once village densities are inflicted on the Project site, the surrounding parcels would likely be eligible for higher densities as well, in order to match or gradually transition to less than the adjacent village density. Once eligible, an organization like Accretive would move to develop those parcels and perhaps sell the rights to build to the building industry. They would justify the development using the high densities in the Project’s adjacent village. That is growth inducement 101. Neither the Project, nor the induced growth it will cause, are needed to augment the County’s housing inventory. The General Plan already provides enough opportunity for development to address expected population increases, and it does it in a way that preserves productive agricultural land, fulfilling another of the General Plan’s land use goals.



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The Project fails to meet the criteria of a village as defined in the General Plan. It is neither compact [generally 2-miles long by 1-mile wide with a perimeter that would make an amoeba proud] nor is it, "...where a higher intensity and a wide range of land uses are established, or have been planned." The General Plan and community plans recognize the Project site as low-density agricultural land that is between the two established communities of Valley Center and Bonsall, and designate it to remain that way.

1.8.2 Growth Inducement Due to Construction of Additional Housing

The notion that the 90,000 square feet of commercial space could cause the construction of additional housing adjacent to the Project, that would benefit the workers employed in that commercial space, is a fatuous one. First, given the likely high costs of constructing the Project and any off-site, but adjacent, housing, few if any of the retail employees being considered will be able to afford to live within the Project. More likely, those employees will come from far afield since the Project is so removed from other population centers where affordable housing is available. Of course, this will complicate an already dire traffic and Green House Gas situation. It is also likely that the prospective employees will not come from areas adjacent to the Project, since many of the neighboring property owners are retired or engaged in agriculture. And just as likely, the employees will not come from the ranks of the new residents of the Project, as they will probably not be willing to work at jobs paying near minimum wages that would not support a lifestyle within the Project or adjacent to it.

To speculate on where retail employees will originate is conjectural in the extreme and not worthy of inclusion in a discussion of growth inducement. Since the County conclusions for this section cite that speculation on 'potential' impacts do not comport with CEQA Guidelines for evaluation in this RDEIR, why are we talking about employee origins? How many employees could there be in 90,000 square feet of commercial space? How likely is it that employees will rush to build a house next to the Project so they can work at a minimum-wage job?

Construction/Improvement of Roadways

According to the RDEIR, "*Construction of new roadways or improvement of existing ones could potentially induce growth if the roadway development provides significantly improved accessibility to undeveloped or underdeveloped areas within the community.*"

In the case of the internal road system, the Project's proposed roadway improvements will not be growth inducing. In fact, they will not even adequately support the Project's proposed 5,185 residents. None of the Project's internal road construction or existing road improvements is designed to do much more than save the applicant the cost of road development. With the exceptions of 'Main Street' and 'Lilac Hills Ranch Road,' which are the principal roads running the length and width of the Project, the remainder of the internal roads are "conceptual" and are represented on most of the Project Maps as suggestive arrows. In other instances, points of access and egress to/from the Project are more problematic given that they depend on uncertain easement rights and overburdening of private easements.



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So, the claim that that the Project, “...includes an internal, private road system that would be sufficient to serve the project, and allow access to the Town Center by residents of neighboring communities,” is being conjured from behind a thick cloud of smoke with the help of an array of mirrors. However, if the internal roads are approved and built in whatever configuration that the applicant will finally choose, they will provide the rudiments from which other connecting roads will emanate to join adjacent off-site parcels to the project, and thereby, induce growth. Can the County explain how the internal road ‘system’ would not serve the purpose of allowing off-site development to proceed if the Project is approved? Will the County’s explanation include the prohibition of such expansion based on the principles of the General Plan?

The RDEIR claims that, “The primary entry into the project and serving as the formal backbone throughout the development would be Main Street (Figure 1-7). Main Street would not serve as an alternative route to existing roads because traffic calming measures (i.e., couplets) would discourage through traffic.” The Main Street through the Project is likely to be no more traffic calmed than West Lilac Road to which it connects at both ends and for which it would be an alternative route to the I-15 corridor. The Project proposes to reduce the design speed of the segment of West Lilac Road between the Main Street intersections, which may make Main Street the faster, more attractive alternative route. Will not enhancing access with the addition of Main Street likely incentivize growth for surrounding parcels?

Concerning off-site improvements to existing roads that would be designated to serve the Project and the surrounding community of Bonsall and Valley Center, the applicant has asked for 10 road standard modifications that will lower the capacity and/or the design speed of the existing public roads [with no consequent benefit to the public] or confiscate private roads through the County’s use of eminent domain to benefit, not the public, but the needs of the applicant’s Project.

Section 1.8.3 suggests that the applicant wants to improve private Mountain Ridge Road to County private road standards with a gated entry system to the Project to minimize through traffic, in one option. Such a move would overburden the private easement with excessive traffic from the Project, especially in evacuation circumstances. However, in other sections of this RDEIR, the applicant is optioning private Mountain Ridge Road as a fully public road that would have to be seized using the County’s eminent domain authority in a way that harms existing easement owners for the benefit of the applicant’s Project. Another optional proposal would put a fire station along Mountain Ridge Road after its conversion to a public road. So, through traffic would likely be dramatically increased along roadways not built to handle such excessive volumes.



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Similarly, along the northern boundary of the Project, West Lilac Road would be redesigned to a potentially 2.2F standard [two lanes with minimum shoulders] or 2.2C standard[two lanes with intermittent turn lanes and standard shoulders, bike lanes and paths] and have the design speed reduced from 40 miles per hour to 25 miles per hour. This kind of change will result in Main Street looking more attractive as an alternate route, as mentioned above, but will also reduce the traffic volume that this Mobility Element Road will be able to handle. Consequently, such a reduction will dramatically impact traffic to and from the Valley Center community along one of only two Mobility Element Roads in the area. Further, the redesign of this segment of West Lilac Road will involve the use of eminent domain, and likely will result in the loss of residence structures on the north side.

While the RDEIR concludes that the internal road plan and off-site road improvements would not remove a barrier to additional growth, common sense comes to the conclusion that building extensive internal roads and expanding existing public roads [to whatever degree] will provide opportunities for additional development of the parcels adjacent to the Project site. And, when viewed through the lens of practicality, the addition of 20,000 daily trips to the existing roads on which the Project will depend will only demonstrate that the growth caused by the Project will be a burden to the communities of Bonsall and Valley Center.

The RDEIR sees this project as an island of self-sustaining residential and commercial uses that is removed from the necessity of engaging the world outside its boundaries. This arm's length existence will keep the surrounding properties, which are largely agriculture-oriented, from experiencing the pressure to rezone to complement the proposed Project's village densities. Of course, this is a fantasy that would make Disney envious. The fact is, there is very little that makes this Project self-sustaining in terms of jobs, consumer commercial opportunities, or infrastructure. Once in place, this project and its population will require greater commercial options, more infrastructure, better and more roads than are being planned, and more services.

The RDEIR 1.8.5 Conclusion rightly notes that the intensification of land uses on the Project site will encourage intensification on agricultural land uses in the immediate vicinity. Agriculture will not be able to operate as efficiently with the scores of sensitive receptors presented by the project limiting processes and procedures that are essential for efficient and cost competitive production. The inefficiencies resulting from the sensitive receptors and inadequate agricultural buffers for the Project will incline the farmers to calculate the potential profit to be gained by changing the land use designation and densities for their properties and to sell out. That is growth inducement

The RDEIR is correct to cite environmental changes to the Project site based on the 4+-million cubic yards of cut and fill proposed for the site. That is nearly 1.5 cubic yards of cut and fill for every single square yard of the Project site. Of course, some square yards will be treated more drastically than others. Some will be blasted to a depth greater than 50-feet. This significant disruption of the natural surface of the land is one of the greatest irreversible changes that will take place, and it is irretrievable once performed.

QUESTION: How does moving 4 + million cubic yards of cut and fill meet the Goals and Policies of the Bonsall Community Plan or are you going to ignore the approved plan?



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Does the County truly think that the blasting and movement of 4+-million cubic yards of earth is consistent with the local community character? Is mitigation possible?

And, it will take an enormous amount of extra energy and effort to move the 4-million cubic yards of earth around the site to make it conveniently buildable for so many densely-packed dwelling units and so much commercial space.

Aside from transforming the land surface, moving so much earth and rock to accommodate the development of the Project will also permanently eliminate the Project site as biological habitat for native vegetation, wildlife and agriculture. Comments related to subchapter 2.5, Biological Resources, address the loss of foraging and breeding habitat and the beneficial interaction of wildlife with agricultural lands. State and federal laws address the losses of wildlife habitat.

Again, the General Plan recognizes the importance of natural habitats to the County, but the RDEIR suggests that losses of natural habitat can be mitigated by forcing wildlife, that is able, to move to other undeveloped lands in the County and by sacrificing native vegetation with the understanding that the losses caused by this individual Project are not significant.

Of course, the RDEIR does not adequately address the cumulative impact of scores of such individual losses caused by multiple projects and the irreversible loss of the majority of such habitat in the aggregation of these individual losses. Viewed incrementally, these individual project losses can be rationalized as minor and insignificant, but viewed collectively over the course of 50-years and on the scale of the entire County, they add up to a very significant majority of natural habitats [the California Department of Fish and Wildlife cites the loss of an estimated 85-90% of the historical extent of coastal sage scrub habitat in the state's Native Community Conservation Plan (NCCP) – Coastal Sage Scrub]. An acre here, an acre there, it all adds up.

Why does the RDEIR not address these cumulative irreversible losses of habitat within the County as a whole, or within the five-county southern California region, and the additive effect of large projects such as this Project?

The RDEIR also fails to adequately discuss the loss of agricultural land to this Project. The agricultural operations on and around the Project site are locally significant and typical of the operations that propel agriculture in San Diego County. The County's General Plan provides for the preservation of existing farmland as a key goal and principle. LEED ND standards discourage development on agricultural lands.

The County's land surface is finite. At what point does the loss of 504-acres of farmland in a Project like this one push the County over the edge to a completely urban County?



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Beyond the irreversible impacts and losses of land features and biological habitat are losses to the structure of governance. After over 12 years of discussion, revision, and compromise; thousands of hours of citizen volunteer effort; and, the expenditure of nearly \$20 Million in taxpayer funds, the San Diego County General Plan, approved in August 2011, became, in the words of the California Supreme Court, “the constitution for future development.” Citizens purchasing property could look to the County’s General Plan to apply diligence regarding future land uses surrounding the property they wished to buy and make a judgment on the value and appropriateness of such a purchase.

QUESTION: Will the County defend the General Plan from the depredations of Projects like this one?

Moreover, this Project would subvert the intention of the state legislature to have every county adopt “...a comprehensive, long term general plan” [Calif. Gov. Code §65300; emphasis added]. For, in order to be approved, this Project would require the County to radically amend its general plan after only three years of existence to accommodate this Project. This Project was conceived as the present General Plan was being finalized and the applicant could have sought inclusion in it. The applicant did not.

Consequently, to be approved, this Project will require the County to substantially revise the General Plan’s approved land use designations for the Project’s site, and cause the County to strenuously distort the interpretation of the General Plan’s goals, principles and policies [or to simply amend them to fit]. These actions will subvert the General Plan and throw the Bonsall and Valley Center Community Plans into disarray. This is not what the legislature had in mind.

Nor should a single commercial applicant be able to overturn the intent and authority of the General Plan to finagle approval for a single project that is inconsistent with that plan. Similarly, the Bonsall and Valley Center Community Plans, extensions of the San Diego County General Plan, will have to be amended to accommodate this Project. This Project will mangle the hard-won compromises on land use designations for both communities. Both communities were planned using the Community Development Model defined in the General Plan. Both communities adopted land use and zoning plans that gradually diminished densities from their core villages to the limits of their planning areas, consistent with the model. The present Project undermines those plans with no particular benefit to either community.

QUESTION: The County needs to disclose the following information so that impacts are identified and required Mitigation can be implemented. When will this happen? Please forward to the Bonsall Sponsor Group.

A). Required Disclosure of Relevant Information regarding legal rights for construction of Off Site Improvements as well as how the Applicant intends to gain legal rights

In the DEIR, the County has not provided adequate disclosure regarding off-site impacts of the Project and its Alternatives to surrounding property owners.

This information is necessary to demonstrate Project Feasibility that the Project can ever be legally built.



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For the Project and each of its Alternatives, provide the following information regarding off-site improvements for which Accretive Investments currently holds less than full legal right of way. For each impacted parcel, indicate what the Applicant has done to attempt to secure legal rights. Disclose how the Applicant or the County intends to secure the necessary legal rights for these parcels:

<u>Parcel Number</u>	<u>Property Owner</u>	<u>sq ft. Right of Way required</u>	<u>sq.ft.Slope Easement</u>	<u>Total sq. ft. Encroachment</u>
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i) West Lilac Road

Scenario 1 – Construction of West Lilac Road from Old Hwy 395 to proposed new Road 3b to 2.2 C Road Standards as is the General Plan Baseline. No information on offsite improvements has been provided by the County for the full route of this Alternative, which is the present General Plan Mobility Element baseline.

Scenario 2 a – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2C/2.2F dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 4.3 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 2 b – As per “Right of Way Analysis W. Lilac Rd Alt 1 2.2 C dated Oct 31, 2013 **with additional land necessary to incorporate Reid Middleton Roundabout design modification recommendations identified.** The Oct 31, 2013 study found that 22 parcels were impacted for a total of 5.6 acres. The Study did not quantify the additional parcels impacted by Roundabout redesigns recommended by Reid Middleton. Please include a current and accurate disclosure of the parcels as impacted by Roundabout redesign.

Scenario 3 – Impact of improvement from non-compliant 2.2F to 2.2E configuration to improve horizontal curves and provide bicycle lanes in each direction and 8 foot shoulders for West Lilac Road from Easterly boundary of Subdivision (currently near existing Lilac Walk private road intersection) to Covey Lane. This scenario is discussed further in section 2).Direct Impacts to West Lilac Road section of this letter.



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ii). Covey Lane/West Lilac Intersection

Scenario 1 – Impact of construction to Applicant's proposed design **including Sight Distance Clearance and turn tapers. Please carefully analyze the need for Additional Slope Easements beyond those granted in IOD's.**

iii). Mountain Ridge Private Road including Mountain Ridge/Circle R Intersection

Scenario 1 – Impact of improvement to Applicant's proposed design **including Sight Distance Clearance and turn tapers.**

Scenario 2 – Impact of improvement of Mountain Ridge Private Road to 30 Mph Private Road Design Speed Standards **including Sight Distance Clearance and turn tapers.**

Scenario 3 – Impact of construction of Mountain Ridge Private Road to Public Road Design Standards **including Sight Distance Clearance and turn tapers.**

iv). Rodriguez private road. Please further enumerate the all improvements proposed for Rodriguez Road as represented in Master Preliminary Grading Plan TM 5571 RPL 4 Sheet 7 of 12. Provide the legal basis of rights to construct the improvements to Rodriguez Road. Provide a copy for Public Review of document 2013-0021800 Rec. 1-11-2013.

Property Rights ARE a DEIR Issue. Without the acquisition of land for offsite improvements, this Project IS INFEASIBLE.

Executive Summary Comment DEIR Paragraph S.3 Areas of Controversy page S-4 – Item 2 – Infeasibility of the Project's undefined and infeasible Phasing Sequence

Phasing – The Applicant seeks the utmost in flexibility in developing the Project in Phases of which there are many possible permutations, and no assurance whatsoever of Project performance of Conditions of Development.

The County has endorsed this approach without any assurance of performance by the Applicant, such as bonded indemnification to ensure specific performance.

The Applicant states in the Specific Plan and the County states in the EIR that some Phases may never be built. Mitigations for Traffic Impacts are tied to events that may never happen. This is a serious defect with the EIR. There is no assurance that promised Mitigation will ever occur.

Refer to the following Table 1 – 4 from Chapter 1 EIR Objectives page 1- 34.



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TABLE 1-24
GRADING QUANTITIES BY PHASE (cy)

Phase	Cut	Fill	Net
1	715,000	860,000	(145,000)
2	635,000	830,000	(195,000)
3	1,815,000	1,260,000	555,000
4	295,000	420,000	(125,000)
5	610,000	700,000	(90,000)
TOTAL	4,070,000	4,070,000	-

The Project represents that it requires no import or export of soil for all Phases in total. The Project requests any possible Phase implementation sequence. It is **clear** that Phase 3 is the source of fill dirt **for all of the other four Phases** and is required to be at least partially graded concurrently with the first and any other Phase. Please identify how the Project intends to implement Phase 1 without grading on Phase 3. Also, will Phase 3 be used as a quarry for fill dirt for an extended period?

The County of San Diego is deficient for not recognizing this most basic disconnect. The net result of this is a Significant Impact of Project Feasibility.

This example of infeasibility or vastly different Environmental Impacts is repeated over and over again with every Infrastructure aspect: Roads, Sewers, Waste Water, etc.

The timing of implementation of Mitigation is also required to be defined with much more rigor than the County has employed. Road Improvement from Significant Impacts are 'triggered' by attainment of a threshold number of Residential Units. The County of San Diego should recognize that certain Commercial Land Uses are far greater drivers of Traffic Impacts than Residential.

Another related defect of this "Phase Game" is that the sum of the Traffic related analyses, for example, have analyzed fewer than 50% of the possible permutations of Phase execution that the County has endorsed in this EIR.

Left with the unbounded Phasing strategy the Applicant proposes, the Project as implemented will have vastly different Environmental Impacts than those analyzed in this EIR.

QUESTION: Will the project need to be required to adopt a defined Phasing Plan sequence with only a few allowable Phase Alternates in order that the proper Environmental Impacts can be assessed?



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1.6 Project Inconsistencies with Applicable Regional and General Plans

This section of the DEIR needs to include an unbiased evaluation of the Project's General Plan and Community Plan Consistency as of today, prior to a Board decision on the Project.

In this section and Chapter 3.1.4 Land Use Planning, the County has accepted the proposed advocacy position of the Applicant without any test of reason. This County states that indeed the Project as proposed is inconsistent with dozens of major General Plan Policies. **But if** the Board approves the General Plan Amendment, **by definition** the Project would comply with the General Plan, because the approval of the Board's amended the General Plan.

This circular logic does not observe the fundamental tenant of CEQA – to assure that decision makers **prior** to making a land use decision are informed of the Project's Environmental Impacts, and have taken all possible measures to Mitigate Impacts. Factually disclose to the Lead Agency Decision Makers an unbiased evaluation of the General Plan and Community Plan policies included in August 2013 Public Comment contained in the letter Ltr 8-13-13 re General Plan and Community Plan Inconsistencies

COMMENT: Department of Transportation sent a letter to Mark Slovick on June 24, 2014 and I would like to have that attached to our comments however it was not easy to scan and attach. Copy is included in the submission of Valley Center or went directly to Mark Slovick in his file.

WHERE DID THIS SELECTION CRITERIA COME FROM? The relevant objective is Objective 1 - Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community. **THE OBJECTIVE STATES "northern San Diego County," not Bonsall-Valley Center. Escondido is in northern San Diego County. The Downtown Escondido SPA meets the County's Objectives.**

On page 4-5 and 4-6 the DEIR states:

"This project would create a new Village, providing an additional location within the VCCP/**why was Bonsall not mentioned?** area with services and housing opportunities. The project area is positioned in proximity to the I-15 and within existing districts for sewer water and fire service. There is an adequate road network offering multiple routes throughout the project and would which ultimately connect with freeway ramps to I-15. Placing the project in another location may result in additional issues related to traffic and services."



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With respect to the Downtown Escondido SPA, this statement is incorrect as is substantiated below:

1. "Placing the project in another location may result in additional issues related to traffic and services."

The Downtown Escondido SPA is a superior location for traffic and services, generating far fewer Vehicle Miles Traveled than the Project. This argument is without merit.

QUESTION: Please review this assessment and inform the Bonsall Sponsor Group your decision in regard to CEQA requirements.

On page 4-6 the DEIR states:

"Further, the applicant already owns the project site and cannot reasonably acquire an alternative site. Thus, in accordance with CEQA Guidelines Section 15126.6(f), the acquisition of an alternative location would be considered infeasible."

With respect to the Downtown Escondido SPA, this statement is incorrect. The County's rationale lists only two of the seven **non-exclusive factors** contained in CEQA Guidelines Section 15126.6(f). The Downtown Escondido SPA Alternate is consistent with the majority of the seven non-exclusive factors included in of CEQA Guidelines Section 15126.6(f) **and an analysis of the Downtown Escondido SPA Alternate must be included in the Project DEIR.** Refer to the entire discussion on page 3 of Ltr 8-19-13 Project Alternatives (attached),

on page 4-6 of the DEIR, the County concludes:

"Therefore, an alternative location was considered but rejected because of the (1) lack of a suitable-sized site, (2) lack of a site located in proximity to I-15 and existing service areas, (3) lack of ability to reduce VMT the potential for greater GHG emissions and traffic impacts, and (4) that the proponent cannot reasonably acquire an alternative site."

This conclusion has no substance for any of the four arguments presented in favor of the Project. Substantiation of this statement is below:

(1)lack of a suitable-sized site – **The Downtown Escondido SPA Alternate has more capacity than the Project in each of its land use categories.**

2) lack of a site located in proximity to I-15 and existing service areas- **The Downtown Escondido SPA Alternate is in closer proximity to I-15**



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(3) lack of ability to reduce VMT the potential for greater GHG emissions and traffic impacts – The Downtown Escondido SPA Alternate has far fewer VMT, GHG emissions, and traffic impacts may or may not be true, but by itself it is not sufficient rationale to exclude the Downtown Escondido SPA Alternate.

The County of San Diego MUST INCLUDE IN THE DEIR A REASONABLE ALTERNATE – THE DOWNTOWN ESCONDIDO SPA AND EVALUATE THE ABILITY OF THE ALTERNATE TO SATISFY PROJECT OBJECTIVES.

QUESTION: How did the County exclude this as an alternative and where is the detailed evaluation?

COMMENT : - 4.1.8 Road Standard Design Exceptions – THE Bonsall Sponsor Group does not support or ACCEPT ANY OF THE ROAD EXCEPTIONS

There are potential safety Hazard issues with all of these Exceptions. The County has not performed and shared with the Public any Hazard analyses on nine of the proposed Road Exceptions.

QUESTION: Where are the analyses of nine of the proposed Road Exceptions?

Single Exception – Exception # 7 Mountain Ridge Design Speed. The “analysis” consists of less than a page on page 11 of the Traffic Impact Study, and this analysis has many unsubstantiated assertions. The “hazard analysis of Exception #7 Mountain Ridge Design Speed is discussed below.

COMMENT: Please provide all hazard analysis in detail per applicants requested exception.

The Applicant asserts the following on page 11 of the Traffic Impact Study (TIS):

“ii. HAZARDS DUE TO AN EXISTING TRANSPORTATION DESIGN FEATURE

Mountain Ridge Road is a residential serving road with several vertical curves and design speed as low as approximately 5 mph along certain sections. Since the road is not currently built to County private road standards, an assessment according to Section 4.6 of the County Guidelines was completed considering the following factors:

- 1) Design features/physical configurations of access roads may adversely affect the safe movement of all users along the roadway.



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- 2) The percentage or magnitude of increased traffic on the road due to the proposed project may affect the safety of the roadway.
- 3) The physical conditions of the project site and surrounding area, such as curves, slopes, walls, landscaping or other barriers, may result in conflicts with other users or stationary object.
- 4) Conformance of existing and proposed roads to the requirements of the private or public road standards, as applicable.

The following is a discussion of each of these four individual factors:

- 1) There are several vertical curves along Mountain Ridge Road, some of which have grades exceeding 20%. The design speed along certain sections is only about 5 mph as constructed. Therefore, due to the presence of these curves and the design speed below County Standards, it is concluded that the current road may adversely affect the movement of users.
- 2) The project is forecasted to increase the ADT on Mountain Ridge Road from the current 160 ADT to 1,190 ADT. While this is a high percentage increase, an ADT of 1,190 ADT is only about 2 cars per minute during peak periods, and this amount would not significantly contribute to any safety issues along the roadway.
- 3) The presence of several vertical curves was described in Item 1) above. There are no horizontal curves on the roadway, nor are there any slopes, walls, or barriers that could cause conflicts. Therefore, no issues are expected due to this item.
- 4) Table on the previous page shows County private road standards for various roadway types depending on the level of ADT served by the roadway. Two columns were added to the Table. The first is an indication of each of the measurable criteria for Mountain Ridge Road. As can be seen, Mountain Ridge Road meets the standards of a 751-2,500 ADT road in all cases except for the vertical design speed. Since Mountain Ridge Road currently has design features, namely several vertical curves, that may affect the movement of users (#1) and does not fully conform to County private road standards (#4), it is concluded that a potentially significant impact could occur in terms of roadway hazards. The improvements being made to the existing Mountain Ridge Road are to widen the paved width from 20 feet to 24 feet, as well as lengthening one of the vertical curves to increase the minimum design speed from 5 mph to 15 mph.”



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Public Comments regarding this purported “Hazard analysis of Road Exception #7 – Mountain Ridge Design Speed

THE APPLICANT AVOIDS DISCUSSION OF MEASURABLE METRICS IN THE PRIVATE ROAD STANDARDS AND USES “Section 4.6 of the County Guidelines” TO CONSTRUCT ARGUMENTS BASED ON GENERAL VAGUE OBJECTIVES, RATHER THAN MEASUREMENT AGAINST A STANDARD.

QUESTION/COMMENT: Provide a complete reference to “Section 4.6 of the County Guidelines” – there is no such section in County Private or Public Road Standards provide the reference to the Bonsall Sponsor Group.

QUESTION: Below are specific questions that the Bonsall Sponsor Group requests detail answers regarding the “Hazards Analysis”:

“1) There are several vertical curves along Mountain Ridge Road, some of which have grades exceeding 20%. The design speed along certain sections is only about 5 mph as constructed. Therefore, due to the presence of these curves and the design speed below County Standards, **it is concluded that the current road may adversely affect the movement of users.**”

QUESTION: When a structured quantitative analysis is performed, the more appropriate statement is: IS A SAFETY HAZARD. Please answer why an analysis of the multiple driveway/road intersections were not analyzed? Many of the driveways have blind intersections, and vehicles might be backing into the road in reverse. Please also comment with a quantitative analysis on safety of design at full Emergency Access traffic loading in an Evacuation Scenario with all Access gates open?

“2) The project is forecasted to increase the ADT on Mountain Ridge Road from the current 160 ADT to 1,190 ADT. While this is a high percentage increase, an ADT of 1,190 ADT is only about 2 cars per minute during peak periods, and this amount would not significantly contribute to any safety issues along the roadway.”

As we have commented in DEIR Subchapter 2.3 Traffic, there is required substantiation from the County on why the build out Project traffic estimate on Mountain Ridge changed from 2260 ADT to 1190 ADT. The County has yet to explain where the 1070 ADT traffic load went to. The only conclusion supported by facts is that in reality, Project traffic loads are considerably higher than the as yet unsupported 1190 ADT.

The County has again not assessed Hazards at Emergency/Evacuation traffic loading.



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THERE ARE SIGNIFICANT HAZARDS WHEN QUANTITATIVE FACTORS ARE OBJECTIVELY ANALYZED

“3) The presence of several vertical curves was described in Item 1) above. There are no horizontal curves on the roadway, nor are there any slopes, walls, or barriers that could cause conflicts. Therefore, no issues are expected due to this item.”

**When a structured quantitative analysis is performed, the more appropriate statement is:
IS A SAFETY HAZARD.**

QUESTION: Please answer why an analysis of the many driveway/road intersections obscured by trees and bushes were not analyzed?

4) Table on the previous page shows County private road standards for various roadway types depending on the level of ADT served by the roadway. Two columns were added to the Table. The first is an indication of each of the measurable criteria for Mountain Ridge Road. As can be seen, Mountain Ridge Road meets the standards of a 751-2,500 ADT road in all cases except for the vertical design speed. Since Mountain Ridge Road currently has design features, namely several vertical curves, that may affect the movement of users (#1) and does not fully conform to County private road standards (#4), it is concluded that a potentially significant impact could occur in terms of roadway hazards. The improvements being made to the existing Mountain Ridge Road are to widen the paved width from 20 feet to 24 feet, as well as lengthening one of the vertical curves to increase the minimum design speed from 5mph to 15 mph.”

We take issues with several statements made here. First of all, the County has not performed a Hazards Analysis against Private Road Standards consistently. This “table” does not analyze conformance with Sight Distance Lines at Intersection with Public Roads.

QUESTION: Please provide analysis to the Bonsall Sponsor Group.

Mountain Ridge Road as proposed does not meet Sight Distance Line requirements at the intersection with Circle R Drive Public Road.

QUESTION: Please provide analysis to the Bonsall Sponsor Group.

Disclosure in Table 7.2 of the TIS is the fact that the Project proposes grading improvements on Parcels 129-300-31 and 129-300-36 to lengthen vertical curves. **Please provide evidence that there is adequate Project rights for construction of these improvements, including temporary encroachment permissions for construction that enable continued use of the road by Residents during construction.**

QUESTION: The Bonsall Sponsor Group would like to have provided the appropriate analysis as it has not been met in this DEIR.



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A REASONABLE AND UNBIASED EVALUATION FINDS THAT THERE IS A SIGNIFICANT HAZARD SHOULD ROAD EXEMPTION # 7 MOUNTAIN RIDGE REDUCED DESIGN SPEED RECEIVE APPROVAL. **APPROVAL SHOULD BE DENIED FOR ALL ROAD STANDARD DESIGN EXCEPTIONS.**

COMMENT - 4.1.9 Mountain Ridge Fire Station Public Road Alternate –THE COUNTY SHOULD NOT CONSIDER THIS ALTERNATE FEASIBLE.

The Deer Springs Fire Protection District (DSFPD) does not accept this location as a solution for Fire Service for the Project, and has stated so in its June 2014 Public meeting, which is recorded in the meeting minutes.

This Alternate is being proposed by the County to provide the logic for taking Right of Way Rights via County Condemnation proceedings from private citizens to enable the Project to construct an Access Road in compliance with Road Standards and also to provide Pipeline Access to the Lower Moosa sewer facility.

This Alternate does not meet the requirements of Board Policy J-33, since it proposes encroachment on three residential structures and does not meet other J-33 requirements.

ALTERNATE 4.9 MOUNTAIN RIDGE FIRE STATION PUBLIC ROAD ALTERNATE IS NOT FEASIBLE AND SHOULD BE ELIMINATED AS AN ALTERNATIVE TO THE PROJECT.

GENERAL PLAN INCONSISTENCY

I. Introduction:

In comments submitted over the last several years about Accretive Investment Group's Specific Plan/General Plan Amendment (SP/GPA), the Bonsall Sponsor Group, the Valley Center Planning Group and the Valley Center Design Review Board have repeatedly challenged the proponent's assertions that this proposal is consistent with the adopted County General Plan [GP], or with Bonsall Sponsor Group Community Plan, Valley Center's Community Plan [CP], or with Valley Center Design Guidelines.

Our previous comments, which are attached, have also challenged the Orwellian logic exhibited throughout the SP/GPA text, and the original Draft Environmental Impact Report (DEIR 2013) and now in the REVISED DEIR (DEIR 2014). We stand in robust opposition to the claims in these documents that a change of Regional Category -- from Semi Rural to Village -- magically reconciles the project's gaping inconsistencies with the intent of the Community Development Model and with the wide array of interdependent General and Community Plan Goals and Policies that are meant to implement it.



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QUESTION: Please provide the Bonsall Sponsor Group a clearly written document on how the change of Regional Category to Village is CONSISTENT WITH CEQA and not in opposition to the approved General Plan, the Community Development Model and the Community Plans of Bonsall and Valley Center?

QUESTION: Despite thousands of pages of “public comment” nothing has changed IN THE DEIR why?; The project parameters nor the perverse and circular arguments that, in the name of San Diego County, advance it. The proposed SP/GPA remains inconsistent -- broadly and fundamentally -- with the San Diego County General Plan and the Community Plans of both Valley Center and Bonsall.

DEIR 2014 dodges rather than examines inconsistencies:

DEIR 2014 persists in avoiding the truth of these inconsistencies and thus fails to provide analyses required for decision makers to understand the nature and reach of its impacts. Therefore, DEIR 2014 is derelict in concluding as it does that: “Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be **less than significant**” (Chapter 3 Environmental Effects Found Not To Be Significant.)

QUESTION: Where is the detailed analyses on all of the impacts please forward to the Bonsall Sponsor Group?

We all can understand why the applicants might want to avoid disclosing the system of GP and CP Goals and Policies that this project violates. But San Diego County's mandate in its performance of CEQA's purpose is not to deny inconsistencies in order to avoid analysis and ease approval of this project. CEQA's purpose is disclosure. The DEIR for this SP/GPA must honestly reckon with the issue of General and Community Plan consistency. This includes the General Plan Vision and Guiding Principles, the reflection of these in the Community Development Model, and in the Goals and Policies that are meant to implement these ideas across the GP's and CP's eight elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety, Agriculture and Noise.

The California Environmental Quality Act (CEQA) requires a General Plan consistency analysis and supportable conclusions. The conclusion of DEIR 2014 that planning impacts are ‘insignificant’ is not supported by the evidence.

The DEIR disguises with double talk the extent to which this SP/GPA is inconsistent with the County's planning documents. Planning impacts are far from “insignificant”. They are broad and fundamental. Approving this SP/GPA requires rejecting the GP's foundational vision of Smart Growth and eliminating the many GP Policies that support it. Introductory remarks in the DEIR state this fact.

QUESTION: Where are the supportable conclusions?



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The double-talk of this DEIR is demonstrated in the mighty leap it takes from the truthful declaration (that this proposal is inconsistent with the existing General Plan) to the also truthful declaration (that the proposal *will be* consistent with the amended General Plan) -- without bothering to analyze the inconsistencies of the first condition. But analysis of the first condition is the entire point of an Environmental Impact Report.

QUESTION: CEQA directs the County to answer the question: in what ways does this project change current conditions? How can planning professionals confuse the difference between pre-project and post-project conditions in the first place? And how can this “mistake” be repeated and elaborated in the revision despite hundreds of public comments that point this out?

The California Environmental Quality Act (CEQA) requires a General Plan consistency analysis and supportable conclusions. The conclusion of DEIR 2014 that planning impacts are ‘insignificant’ is not supported by the evidence.

QUESTION: Please explain where is the consistency analysis?

The DEIR disguises with double talk the extent to which this SP/GPA is inconsistent with the County’s planning documents. Planning impacts are far from “insignificant”. They are broad and fundamental. Approving this SP/GPA requires rejecting the GP’s foundational vision of Smart Growth and eliminating the many GP Policies that support it. Introductory remarks in the DEIR state this fact.

But analysis of the first condition is the entire point of an Environmental Impact Report. CEQA directs the County to answer the question: in what ways does this project change current conditions? How can planning professionals confuse the difference between pre-project and post-project conditions in the first place? And how can this “mistake” be repeated and elaborated in the revision despite hundreds of public comments that point this out?

Paramount among the project’s GP inconsistencies is its failure to comply with Land Use Goal 1 (LU-1) and Policy LU1-2

Consistency with Land Use Goal 1 (LU-1) and with Policy 1.2 (LU 1.2) is especially crucial for this project’s approval. These speak directly to the requirements for establishing NEW villages in San Diego County. They emphasize the primacy of the Land Use Element and the Community Development Model, and the prohibition of Leapfrog Development.

Land Use Goal 1: Primacy of the Land Use Element. A land use plan and development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.



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Land Use Policy 1.2: Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED Neighborhood Development Certification (LEED ND) or an equivalent. For purposes of this policy, leapfrog development is defined as Village densities located away from established villages or outside established water and sewer service boundaries. (See applicable community plan for possible relevant policies.) **QUESTION: How does the County read this policy in relation to this project?**

Criteria 2: The Accretive SP/GPA is Inconsistent with LEED Neighborhood Development Certification standards

As the 70 page booklet mentioned below makes clear: For LEED ND Certification location, conservation and design criteria are mandatory. This means that, regardless of how many “points” are accumulated for “green” amenities, LEED ND Certification cannot be achieved without meeting a few essential standards in particular categories.

We still await the County’s analysis of the full complement of standards for LEED ND Certification.

QUESTION: Please provide the Bonsall Sponsor Group with the analysis of the full complement of standards and the project meets all standards?

GP LU1-2 is clear in its intention that the Accretive SP/GPA must comply with all standards that are required for LEED-Neighborhood Development Certification. However, in order to provide the reader with a sense of how comprehensive and detailed the LEED ND standards are, we have included below a list of the mandatory requirements for the two areas where our comments are focused this time -- Smart Location and Neighborhood Pattern and Design. We will address some of these in our comments below.

(More detail is available below in the attachment, *SELECTED BRIEF EXCERPTS FROM LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT* or from the original 70-page document on the U.S. Green Building Council website.)



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SMART LOCATION and LINKAGE

These are PRE-REQUISITE criteria. Compliance is mandatory.

Prerequisite 1 Smart Location

Prerequisite 2 Imperiled Species and Ecological Communities

Prerequisite 3 Wetland and Water Body Conservation

Prerequisite 4 Agricultural Land Conservation

Prerequisite 5 Floodplain Avoidance

NEIGHBORHOOD PATTERN AND DESIGN

These are PRE-REQUISITE criteria. Compliance is mandatory.

Prerequisite 1 Walkable Streets

Prerequisite 2 Compact Development

Prerequisite 3 Connected and Open Community

From our review of the LEED ND requirements we conclude that Accretive's SP/GPA fails to meet fundamental requirements for LEED ND Certification for the following reasons:

- 1) **The site is not a "Smart Location."** The EIR concludes that the project is consistent with LEED-ND but completely overlooks its mandatory site selection requirements. However, the EIR does not address how this aspect of LEED-ND can simply be overlooked when the program was specifically designed to "place emphasis" on site selection. A fundamental premise of Smart Growth is to lower automobile dependency as compared to average Development. The SANDAG average miles/trip for all of San Diego County is 5.8 miles/trip. The SANDAG average miles/trip for the unincorporated San Diego County is about 13 miles/trip which is why the region is directing growth to the incorporated cities and existing villages. Accretive is proposing an automobile based urban sprawl community that even with exceedingly high and unsubstantiated internal trip rates is 47% higher than the San Diego County average (8.52/5.8) trip distance.
- 2) **The site is too large (exceeds the 320-acre maximum size).** This maximum area is based on critical factors such as providing the appropriate density of services and neighborhoods within a compact community and achieving walkability. The EIR fails to address how the project is still in compliance with the LEED-ND program when it exceeds a standard that was determined by the "core committee's research."



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- 3) **The proposed SP/GPA fails to meet LEED ND standards for a “walkable” neighborhood:** This issue brings to light another more fundamental one with much of the EIR’s documentation. Throughout the document there is the assertion or suggestion that the proposed project will be “walkable”. However, the only evidence that is provided are three circles on a map to suggest that someone could walk to someplace within that circle if they wanted to. This is not the definition of a walkable community. The LEED-ND standards were developed through the research of a core committee which suggests that a walkable neighborhood is no more than 320 acres and all services, civic uses, employment, and high density housing are contained within that 320 acres. Describing the proposed project as walkable is unsubstantiated and misleading. Further it has likely undermined technical analyses that rely on the premise that the project is walkable and take credit for that. These include the traffic, air quality, and greenhouse gas emissions analyses.
- 4) **It is neither an infill site nor a new development proximate to diverse uses or adjacent to connected and previously developed land. It is sprawl plopped into a functioning agricultural area, with no existing infrastructure.** The objectives of the LEED-ND program are clearly compatible and in alignment with the guiding principles of the County of San Diego’s General Plan and with the siting of “new green neighborhoods.” As a result, it was integrated into the Leapfrog policy of the General Plan. Any proposed deviation from LEED-ND, such as ignoring siting criteria, size restrictions, and density guidelines, should be evaluated in this context.
- 5) **The plan does not locate all its residential uses within ½ mile of its “CENTER.”** It adds suburban sprawl up to one and a half-miles beyond the one commercial area that is large enough to qualify as a LEED-ND compliant Town Center.
- 6) **Because a site design is not available for the Town Center area we have no way of knowing whether this area itself complies with LEED-ND standards.** The Specific Plan claims compliance, but this claim is not substantiated or shown.
- 7) **The site is not served by existing water infrastructure that is adequate to serve urban density.** Water infrastructure is designed for agricultural users and needs significant revision for high density Urban uses. There is no wastewater infrastructure.
- 8) **No water or wastewater service is planned to serve urban development of this area.** Arguably the site is within a legally adopted, publicly owned water and wastewater service area. However, if “planned service” means that the current General Plan and the VCMWD’s own plans currently call for expansion of the infrastructure required for a project such as this (which they do not]), it does not meet this alternative, either. If it means only that a district with those powers exists and encompasses the Project site, then the Project must provide new water and wastewater infrastructure for the project. But it cannot do so because there are no easements the Project controls to establish such service.



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- 9) **Notably, the Project description itself demonstrates that the SP/GPA cannot satisfy ANY of the 3 OPTIONS for fulfilling the Smart Location REQUIREMENT:**
- It is not an Infill Project
 - It is not an Adjacent Site with Connectivity (does NOT have at least 90 intersections/square mile as measured within a 1/2-mile distance of a continuous segment of the project boundary, equal to or greater than 25% of the project) boundary, that is adjacent to previous development
 - The site is not designed as a Transit Corridor or Route with Adequate Transit Service. The only mass transit is two bus routes located 4 miles north of the Project which run the circuit of the 4 Indian Casinos on SR- 76.
 - None of the LEED ND significant public transit service requirements are met by the proposed circulation system. (e.g. at least 50% of dwelling units and nonresidential building entrances (inclusive of existing buildings) are within a 1/4 mile walk distance of bus and/or streetcar stops, or within a 1/2 mile walk distance of bus rapid transit stops, light or heavy rail stations, and/or ferry terminals, and the transit service at those stops in aggregate meets the minimums listed in Table 1).
 - The only transit mentioned by Specific Plan and/or DEIR is that NCTD might consider a bus stop serving part of the project. This is inadequate.

C. Criteria 3: The Accretive SP/GPA fails to provide necessary services and facilities for the intense urbanization being proposed.

1. ROADS. Traffic impacts are significant.

a. The applicant has proposed no acceptable mitigation measures.

This SP/GPA will add 5000 urban residents to country roads while *reducing* road widths, *reducing* road design speeds and *ignoring other standards* established for safe, efficient transportation. The proposal:

- Fails to provide necessary services and facilities
- Is inconsistent with GP premises that development will pay for itself;
- Is inconsistent with the GP minimum standard for LOS D on County roads;
- Compromises the safety, comfort and quality of life of prospective residents as well as all the other residents of Valley Center who depend on these Mobility Element roads.



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For the Accretive project proponents to be angling for approval to shirk necessary County road standards while at the same time claiming to provide necessary services for this intensely urbanized Village project is a disingenuous contradiction. Sanctioning these exemptions would create significant long term SAFETY and liability issues for the County of San Diego.

QUESTION: This may be a repeat of previous questions and comments but they are critical issues to have answers to for a clear understanding of how the County has viewed this project and come to its conclusions.

b. The applicant's request for ten (10) modifications to the County road standards will REDUCE road capacities to sub-standard levels. Accretive Investment Group proposes Village development of a rural area. But the applicant **does not propose Village capacity roads** that are necessary to accommodate the traffic that will be generated by their Village project. Incongruently, the applicant proposes ten (10) modifications to the County Road Standards that will *reduce capacities* of roads that were planned in the Mobility Element to accommodate less intense Rural and Semi-Rural residential development that is planned for this area.

One purpose of the General Plan Mobility Element and the County Road Standards is to specify road standards and automobile capacities that are necessary to serve surrounding land uses throughout the County. Land Use and Mobility Elements are tightly coordinated. Village-capacity roads are specified as necessary to serve Village land uses. Presumably decision makers will agree that road capacity standards set by the County GP Element and the County Road Standards are "necessary" standards.

However, Accretive Investment Group proposes to compromise standards that are employed uniformly across the County in order to win for themselves entitlements to urbanize land uses -- without responsibility for urbanizing road capacities. Specifically, they propose to add 20,000 Average Daily Trips to Mobility Element roads, and to pass the real costs of improving these roads on to the taxpayers. Further, they are finagling "consistency" with County planning standards pretty much across the board not by complying with them, but by relaxing them.

For example, their proposal is to **DOWNGRADE** West Lilac Road from its current Class 2.2C to a reduced-capacity Class 2.2F. And then, they further propose that two segments of West Lilac Road and one segment of Old Highway 395, which will operate at unacceptable Levels of Service E and F as a result of their new "Village" be sanctioned as official "exceptions" to the County standard for minimum Level of Service. TIF fees of approximately \$5 Million are utterly inadequate to afford the road reconstruction necessary to service this development's traffic. The Valley Center Road widening five years ago cost in excess of \$50 Million. Road improvements in already-urban places are expensive.



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In remote places such as the project site road improvement costs are enough to kill projects. No doubt recognizing this problem, the proponents themselves argue *against* improving roads to capacities that are necessary. They say to do so:

- is too difficult and costly
- will require rights-of-way that may be unobtainable
- will be time consuming to construct
- will be disruptive to off-site property owners
- will face opposition from existing neighbors
- will require condemnation of right-of-way
- will impact biological open space.

These are, of course, the exact reasons why the San Diego General Plan and LEED Neighborhood Development both direct urban development away from undeveloped sites like this one into areas where necessities and amenities required for urban dwellers are already met. You'll recognize these points in the review of General Plan and Community Plan policies.

Once again we must acknowledge that these applicants are not envisioning or proposing an SP/GPA to implement the County's widely- recognized and well-admired 30-year plans for genuinely-sustainable growth. This would be the right approach. To engender this sort of cooperation is also the intended outcome of the County's substantial and ongoing investment of public funds in planning efforts and planning activities.

To the contrary, this project hijacks the language of sustainability to push through a proposal which, if approved, will disintegrate San Diego's effort to lead the nation in this area. This project is NOT "sustainable" development. This SP/GPA requires an array of *exemptions* from the interdependent planning principles, goals, policies and standards that the County has put in place in order to achieve its Vision for sustainable development.

QUESTION: (Why invest public funds in planning, we ask, if the next step is to invest more public funds in a "review" that ignores the plan?)

The project design also defies the GP principles, goals and policies for Village development, and for Village expansion, which the Community Development Model reflects.

1. The 608-acre project site, only a portion of which is actually owned by the applicant, sprawls 2 miles N-S, and 2 miles E-W across several thousand acres, largely in active agriculture. These surrounding acres are owned by people whose dreams and ambitions for their rural properties are in accord with the Community Development Model's Regional Category assignment: Semi-Rural and Rural.



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2. The sprawling site creates some 8 miles of edge effects that will threaten surrounding agriculture, horticulture and animal husbandry that the GP Community Development Model protects by designating this area for Semi-Rural and Rural development. This sprawling shape also increases the likelihood that the proposed project will be growth inducing as previously mentioned.
3. With 1746 units and 90,000 SF of commercial on 608-acres, there is insufficient land available for “feathering” residential densities as the Community Development Model intends and describes.
4. The site requires 3 separate commercial nodes to support the “walk-able” claim. It is more than a stretch to characterize the project as a “walk-able Village” when it is, in fact three circles of dense housing. Two of them are at least a mile from what the Community Development Model would characterize as Village amenities. The LEED ND standard for “walking distance” is ½ mile, the GP also cites ½ mile (GP, p.3-8).
5. This is not the “walk-able” compact Village it pretends to be. The “Town Center” is more than one and a half miles from the ½ mile standard required by LEED ND and cited in the General Plan.
6. The proximity of Rural Lands to the project presents wildfire threats which the applicant’s Fire Protection and Evacuation Plans recognize but fail to adequately mitigate. In addition to wildfire the Accretive project adds the additional hazards of Urban Multi Story Structure Fires and nearly two orders of magnitudes increased volume and complexity of Emergency Medical Services (EMS). The Accretive Fire Protection Plan barely mentions the Structures and EMS hazard potential, let alone any mitigation plans. The Deer Springs Fire Protection District (DSFPD) has gone on the record three times (6/12/2012, 3/5/2013 and August 7, 2013 stating that DSFPD has major issues with the Project as proposed. Accretive has glossed over these issues raised by a Public Safety agency and the County has allowed the Project to proceed in the General Plan Amendment process.

Once again this may be repeated but all of the issues need to be answered and are critical to our communities.

QUESTION: Please address all six clearly as to how these issues are In compliance with the General Plan, the Community Plans, the Community Development Model and LEED ND?

Purpose of the General Plan. Chapter 1 of the General Plan contains in its Introduction and Overview an array of directives that the applicant, the applicant’s consultants and the DPS staff have ignored.



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The statements that follow, and many others that appear on several hundred pages of the County General Plan, reflect what many citizens believe is a social contract between San Diego County government and the people. To overlook these declarations in the review of this project would be a gross violation of the public trust. Here are a few ...

The General Plan must be referred to in its entirety, including separately bound portions (such as community plans). While the GP is internally consistent, some issues are addressed through multiple policies and some receive refined and more detailed direction in Community Plans (p. 1-4.)

- 1. Policies cannot be applied independently (p1-5).*
- 2. If you are a SD County resident or property owner, the GP indicates the general types of uses that are permitted around your home and changes that may affect your neighborhood, and the policies the County will use to evaluate development applications that might affect you or your neighbors. The Plan also informs you regarding how the County plans to improve mobility infrastructure, continue to provide adequate parks, schools, police, fire, and other public services, protect valued open spaces and environmental resources, and ...*
- 3. Future development decisions must be consistent with the Plan.*
- 4. The essence of the Plan lies in its goals, policies, and implementation programs.*
- 5. Policies provide guidance to assist the County as it makes decisions relating to each goal and indicates a commitment by the County to a particular course of action.*

QUESTION: With this guidance for language in the General Plan how has this project moved forward through the process as if it met all of the Goals and Policies of the GP and the Community Plans please explain.

Submitted by:

**Margarette Morgan, Chair
Bonsall Sponsor Group**



<http://www.bcsbg.org>



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August 17, 2013

TO: Mark Slovick, Planning Manager, Lilac Hills Ranch Project
Department of Planning & Development Services County of San Diego
FROM: The Bonsall Sponsor Group

RE: Accretive Investment Group proposal DEIR –DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)

Executive Summary: Lilac Hills Ranch DEIR Responses

The Bonsall Community Sponsor Group has been grappling with this project over many months. In our minds it is a bad ill conceived community busting project that should never have been brought forth to be examined in the light of day. Both the Bonsall and Valley Center planning groups have invested too many hours in trying to analyze a project that has so many flaws that more questions have been created than can possibly ever be plausibly answered.

The applicant has a penchant for putting off the preparation of necessary plans until sometime after the Project is approved and out of the reach of the public and the entitlements are awarded. This is like buying a pig in a poke.

The arcane formula that establishes how each jurisdiction determines how sacrificed wetlands will be mitigated and to what extent, apparently results in a straw drawing contest, and the agency that presents the longest straw sets the required acreage for mitigation, they are not additive.

Planning groups have more things to do than analyzing what can be considered a make work project, instigated by a rouge developer, of this nature. We are surprised that a developer would propose such an ill conceived improperly designed project for any kind of serious consideration. In our minds the associated developer of this project proposal has lost all creditability to the point that future projects proposed by this firm should be rejected out of hand and placed in the round file before any serious money or time is spent to analyze and process them.

The Valley Center Planning Group and the Bonsall Sponsor Group has spent many hours analyzing this project. We, therefore, without hesitation endorse all findings by the Valley Center Planning Group and their extensive analysis and conclusions concerning the project. Valley Center has done a monumental job they should be congratulated on many levels for their sense of community duty in doing what is a most unrewarding job.

Several things should be reiterated and reemphasized that Valley Center has so ably discussed:

Specifically how this project will negatively impact Bonsall, and how justification for the project is found particularly weak by the Bonsall Community Sponsor Group will be discussed in the remainder of the summary comments.

You will find that some of the text to be similar to Valley Center's submission however, Bonsall has many more questions and they are highlighted in bold and italics for easy reading in the 56 page document.

We agree with Valley Center in the following statements:



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A. Introduction

This Executive Summary is intended to aid reviewers of the comments on the Lilac Hills Ranch Draft Environmental Impact Report [DEIR] submitted by the Bonsall Sponsor Group. The review of the DEIR prepared by the County Department of Planning and Development Services, the Lilac Hills Ranch Specific Plan prepared by the applicant, and many technical reports that are the basis of the DEIR prepared by various consultants, has generated a significant volume of comments. The thousands of pages that make up the DEIR documents and their sometimes very technical nature made it difficult for volunteers to review and respond to every item in the relatively short time allowed. However, the principle issues are addressed in some detail in the responses that accompany this summary.

This summary should not substitute for the detailed comments and analyses presented in the attached comment documents.

Project Objectives – The following excerpt from the DEIR summarizes the Project Objectives:

PROJECT DESCRIPTION, LOCATION, AND ENVIRONMENTAL SETTING

1.1 Project Objectives

The proposed project is based on a wide range of reports that studied the different constraints and opportunities involving the project in concert with the County of San Diego and local community issues. The general components of the proposed project were determined using the project objectives described below.

- 1. Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community.*
- 2. Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes and that provides public services and facilities that are accessible to residents of both the community and the surrounding area.*
- 3. Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers.*
- 4. Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff.*
- 5. Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area.*



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6. *Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing.*
7. *Provide the opportunity for residents to increase the recycling of waste.*
8. *Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses.*

The County has structured the Objectives of the EIR, in aggregate, so narrowly that only the Lilac Hills Ranch Project, as proposed by the applicant, can fulfill the Project Objectives, leading to a self-serving and biased environmental analysis. The Bonsall response takes exception to the implied claims that the Project meets all of its own objectives and suggests that other alternatives to the proposed Project may fit the objectives better.

Objective One

The County has structured Objective One of the EIR so narrowly that only the Lilac Hills Ranch Project can fulfill this Project Objective, leading to a self-serving and biased environmental analysis.

Objective Two

The Project does not meet its own objective for Objective Two.

Objective Three

We do not have any issues with this objective other than to state that any Project required to have a Discretionary Permit approved would have to comply with this objective.

Objective Four

The Project does not meet its own objective for Objective Four.

Objective Five

We do not have any issues with this Objective other than to state that any project required to have a Discretionary Permit approved would have to comply with this objective.

Objective Six

The County has structured the sixth Objective of the EIR so narrowly that only the Lilac Hills Ranch Project can fulfill this Project Objective, leading to a self-serving and biased environmental analysis.

Objective Seven

Any Project Alternative would comply with this Objective equally.

Objective Eight

This objective is subjective and could be met by developing the Project at General Plan densities, which would preserve existing agricultural businesses and residential-based businesses.

2. Project Inconsistencies with Regional and General Plans

In comments submitted over the last year, the Bonsall Sponsor Group and the Bonsall Design Review Board one and the same in our case have challenged the proponent's assertions that this SP/GPA is consistent with the adopted County General Plan [GP], or with Bonsall's [CP], or with the Bonsall Design Guidelines.



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Our previous comments, which have previously been accepted but if requested will be sent again via email, have also challenged the logic exhibited throughout Accretive Investment Group's Specific Plan and now in their Draft Environmental Impact Report (DEIR): that amending a particular GP Regional Category to suit the project somehow also reconciles the project's inconsistencies with a wide array of General and Community Plan Goals and Policies.

The proposed SP/GPA is inconsistent in broad and fundamental ways with the San Diego County General Plan and Community Plans of both Bonsall and Valley Center. Further, the DEIR fails to disclose and analyze these broad and fundamental inconsistencies and their environmental consequences as CEQA requires. The DEIR is derelict in concluding as it does that: "Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant" (Chapter 3 Environmental Effects Found Not To Be Significant (p 3-65).

This DEIR fails to perform the analyses required for decision makers, first, to understand the parameters of this proposal, and, second, to appreciate the nature and reach of its impacts. The DEIR does not even have a rudimentary analysis of Consistency with the General Plan.

Internal consistency is required of all County General Plans by California State Law. Therefore, in considering a Specific Plan, particularly one that requires amendments to an adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designations and road classifications, principles, elements, goals and policies.

A Specific Plan is an implementation vehicle. Approval requires compliance with CEQA; consistency as well with the web of interconnected and mutually-supporting elements of the County General Plan, and consistency with the array of implementation actions, strategies and procedures that are in place to achieve the goals and policies that the General Plan sets forth. Inconsistency requires denial of the project OR adapting the General Plan to fit the Specific Plan – the tail wagging the dog. Changes of this magnitude (Land Use Policies, Mobility and Safety Elements) to the August 3, 2011 San Diego County General Plan would require revisiting the Environmental Impact of the San Diego County General Plan and likely invalidates the San Diego County General Plan. Broad and fundamental amendments to adopted General and Community plans would require countywide environmental review.

We all can understand why the applicants might want to avoid disclosing the array of GP and CP Goals and Policies that this project violates. But CEQA's purpose is not to gloss over or obscure inconsistencies in order to ease approval of this project. CEQA's purpose is disclosure. Therefore, the DEIR for this SP/GPA must reckon specifically and individually with the General Plan Vision and Guiding Principles and the reflection of these in the Community Development Model, as well as with Goals and Policies across the GP's seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise; as well as goals and policies of the Bonsall and Valley Center Community Plans.



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Once inconsistencies are disclosed there are only three ways to resolve them: reject the project, re-design the project, or re-build the County General Plan to suit these applicants. Inconsistencies with General and Community Plans, Design Guidelines and other ordinances and policies are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts.

Bonsall votes for the first REJECT THE PROJECT based on all of the inconsistencies.

The full text of the General Plan and Community Plan Inconsistencies comments does an exhaustive analysis of several of the General Plan and Community Plan goals and policies to reveal the inadequacies of the proposed Project and the premise being advanced to allow its approval.

1. Transportation/Traffic

The Bonsall Sponsor Group endorses the comments submitted by Darnell Associates regarding traffic impacts provided to us by the Valley Center Planning Group with our thanks.

2. Agricultural Resources

The Bonsall Sponsor Group endorses the comments submitted by the Cleveland National Forest Foundation regarding agricultural impacts.

3. Biological Resources

The DEIR cites three sensitive plant species observed on the Project site as well as observations of 13 Group 1 animal species ranging from lizards, snakes and jackrabbits to raptors, passerine birds and mule deer. Beyond the cited plants and animals, the DEIR notes the projected significant loss of several native plant habitats with special importance for the cited animal species and others such as mixed southern chaparral and coastal sage scrub.

The DEIR indicates that these significant losses can be mitigated off-site through the purchase of land within the draft PAMA based on a formula developed by the County. However, the DEIR does not account for the loss of 608-acres of raptor foraging area, which includes both natural vegetation formations and agricultural lands. The proposal is to set aside 81-acres off-site for raptor foraging calculated using the losses of sensitive native vegetation. It does not include in that calculation the lost agricultural land foraging area.

The DEIR suggests that the impacts to the three sensitive plants and 13 sensitive animals [and we assume the resident plants and animals not judged to be sensitive] are less than significant once mitigated, saying that none of the cited species represent significant populations or significant portions of regional populations. And yet, the DEIR and Biological Resources Report offer no data to support those claims. Nor, do they offer data that show the local population densities of the cited species that can be compared to regional population densities.



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The DEIR notes that the riparian habitats on the Project site will be preserved in open space easements. Those portions of the riparian habitats destroyed by road crossings will be recreated on-site adjacent to the preserved existing habitats. However, the DEIR gives short shrift to the edge effects it acknowledges [e.g. human intrusion, invasive plant species, domestic pets, noise, night light, etc.] pointing to fences and signage and weeding efforts managed by an undetermined manager.

The DEIR does not adequately account for the cumulative effects stemming from the impacts to the Project site. If we take San Diego County as the 'region' or even North San Diego County as the region, we should be looking at the historic extent of coastal sage scrub, southern mixed chaparral, southern coast live oak riparian woodland, coast live oak woodland, southern willow scrub, southern willow riparian woodland, and wetlands within that area compared to what exists today. We should then ask to what extent have these vegetation communities been extirpated and to what extent the remaining examples of those communities have significance. Comparing proposed destruction in one project with destruction that has or will result in a handful of other smaller projects isn't an effective measurement of cumulative effects.

4. Cultural Resources

The DEIR and Cultural Resources Report address historic cultural sites on the Project site individually. They fail to regard the Project site overall in the context of nearby significant Native American village sites along the San Luis Rey River and its tributary, Moosa Creek. The Project site is rich with artifacts and occupation sites, but the proposed mitigation and preservation procedures appear to be piecemeal for a Project as large and transformative as this one.

The grading, by cut and fill techniques, of 4-million cubic yards of earth will jeopardize the opportunity for future study and appreciation of the basic integrity of the cultural significance of the larger area. There are suggestions in previous studies that an as yet undiscovered earlier human habitation of the Project site area, or a separate village from those already known may be present.

There are also concerns about the data recovery program and its methodology. Most of the previous studies of the area are 35 years old and more current studies may be needed to fully understand the significance of the site.

5. Hazards, Hazardous Materials, Wildfires

The development of the densely packed Project adjacent to agricultural areas presents the need to buffer those agricultural areas from the development and its sensitive receptors [schools, churches, senior centers, parks, homes]. However, there is no discussion in this subchapter of General Plan policy S-11.5, which requires development adjacent to agricultural operations in Semi-rural and Rural lands to adequately buffer agricultural areas and ensure compliance with relevant safety and codes where hazardous materials are used. Please note that the Bonsall Community Plan has policies regarding buffering and chapter and verse on the protection of the agricultural areas of our community.



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The issues of emergency response and evacuation plans are troublesome for this Project. The Evacuation Plan does not address the most fundamental evacuation issue of the proposed Project – the limited number of roads for automobile evacuation of the 5185 residents of the proposed Project. The mobility element roads nearest the Project are West Lilac and Circle R Roads. Both roads were built as 2.2 E two-lane roads to serve a rural community with small, rural populations and the applicant plans no upgrades to these roads. The addition of 5000+ people at the Project site will severely impact both emergency response and evacuation during a crisis event, exacerbating already congested conditions in such circumstances and putting many people at risk.

The applicant would further impact evacuation plans by proposing 10 road standard modifications that would lower the classification of the mobility element roads in some cases and lower the design speeds of those roads. With lower design speeds and narrower roadways, the Project will imperil evacuations from Bonsall and Valley Center to the I-15 corridor by existing residents, and impede the prospective residents of the Project at the same time. This kind of impact, played out in scenarios like Bonsall and Valley Center experienced in 2003 and 2007, would severely and significantly put hundreds of people at risk. Further, the Project has but a single evacuation route to the East. That is the easterly section of West Lilac Road that connects to Lilac Road. It is a Circulation Element 2.2 E two lane rural road. There are no plans to upgrade this road. If an evacuation event is caused by a large wildfire from the west, the ensuing smoke plume will result in a panic evacuation over a single treacherous road.

The Project has not demonstrated that the project can meet the 5-minute Emergency Response requirement for Fire Services. The proposed solutions of building a fourth fire station in the Deer Springs Fire Protection District [DSFPD] at the Project site do not work from the perspective of jurisdictional issues and fiscal operational cost issues. None of the existing fire stations in the DSFPD meet the 5-minute requirement.

The Project is proposed for a site in a very high fire hazard severity zone [FHSZ]. Locating a Project of this size and scope in a very high FHSZ is not a smart location that is consistent with preventive land use planning. The DEIR states that failure to meet the standard 100-foot Fuel Modification Zone [FMZ] for significant portions of the Project would be a significant impact. . Section 5.4 Fuel Management Zones on page 42 of the FPP states “The project includes a few areas where fuel modification zones are less than 100 feet wide. Based on even a quick scan of Figure 1.6 from Chapter 1 of the DEIR (Attachment H), the more accurate and true statement is: The project includes extensive areas where fuel management zones are less than 100 feet wide. This is a severe design flaw.



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Fire Protection Plan (FPP)

The proposed Project FPP does not meet the following basic requirements identified below by Issue Number:

1. Of the three Fire Station site Options proposed by the Applicant, none meet the minimum acceptance criteria of the Deer Springs Fire Protection District (DSFPD). The Charter of the DSFPD focuses on providing no greater than 5-minute emergency response time to the ENTIRE DSFPD, of which the proposed LHR Project is a subset.
2. The Applicant states in the FPP that the LHR Project fully complies with the DSFPD Ordinance No. 2010-01, County of San Diego Consolidated Fire Code, and County of San Diego Public and Private Road Standards. *The LHR has factual compliance issues with all of these regulations.*
3. The FPP focuses nearly exclusively on Wildfire Management and does not sufficiently address either Structure Fires or Emergency Medical Service (EMS).
4. The FPP doesn't adequately address and analyze the Environmental Impact of the use of six electronic road gates on fire access roads.

Fuel Modification Zones (FMZ) – The applicant appears to rely on other property owners outside the LHR Subdivision boundaries to comply with the 100 foot FMZ requirement.

Thus, the proposal amounts to putting a large project with several vulnerable populations into a very high fire hazard severity zone with substandard fuel modification zones and depending on more rigorous construction techniques to restore a margin of fire safety. The question becomes why the applicant hasn't redesigned the Project to allow for standard FMZs throughout the Project? This problem is strained further by uncertain access to the Project site by fire apparatus. That access depends on at least two private roads, for which easement access is uncertain, and the applicant's proposal to gate those access points. These constraints on access are problematic for fire safety and evacuation efficiency.

Significant Irreversible Environmental Changes Resultant from Project Implementation

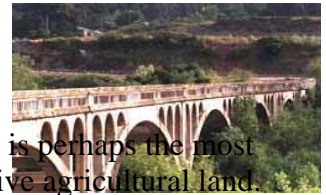
The proposed Project [Lilac Hills Ranch] will cause significant, irreversible, and, in most instances, immitigable impacts to the Project site, to the Valley Center and Bonsall communities and their community plans and to the County of San Diego and its General Plan. The Project will require amendments to the General Plan, its principles, policies, and regional land use designations and to the Bonsall and Valley Center Community Plans, or, at least, a severely disfigured interpretation of all of them.

The DEIR focuses on the grading of the Project site, on the use of fuels [energy] to prepare the Project site and manufacture construction materials, on the consumption of construction materials [wood, concrete, asphalt, drywall, etc.], on subsequent energy and natural resource consumption by the eventual residents, and on the amount of time to construct the project.



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The movement of over 4-million cubic yards of dirt and rock on the Project site is perhaps the most obvious irreversible impact. Another is the loss of hundreds of acres of productive agricultural land. Another is the loss of significant amounts of biological habitat and the flora and fauna that presently occupy them. The DEIR does not adequately address the cumulative impact of scores of such individual losses caused by multiple projects within the County and the irreversible loss of the majority of native habitats in the aggregation of those individual losses.

Less obvious losses are the changes to the General Plan and related Community Plans that will be required for this Project to be approved. Those changes will dramatically alter the parameters of the General Plan that strive for smart growth. And, if the Project is approved, it will set a precedent that will have severe ramifications across the unincorporated countryside of San Diego County.

Greenhouse Gases

The Bonsall Sponsor Group endorses the comments submitted by the Cleveland National Forest Foundation regarding Greenhouse Gas impacts.

Water Quality/Hydrology

The DEIR concludes under Issue 1: Water Quality Standards and Requirements in Chapter 3.0 “Environmental Effects Found Not to be Significant” as follows:

“Through these design features, including the use of permeable pavers, the project would not result in the violation of any water quality standards or waste discharge requirements. Impacts associated with this issue would be less than significant.”

We strongly disagree with this finding and conclude that there is high likelihood of potentially significant and immitigable impacts.

Off-site routes for recycled water and sewer pipelines have been found to lack sufficient legal right-of-way easements as represented in figure 3-4, “Off-site Sewer Collection System.” This determination is confirmed by Valley Center Municipal Water District [VCMWD] in a letter labeled Attachment A. This finding makes construction of sewer and recycled water pipelines for the Project problematic.

Use of the Lower Moosa Water Reclamation Facility [LMWRF] for a series of alternative sewage solutions has been proposed. The LMWRF was built in 1974 and provides disinfected secondary treatment of reclaimed water only. It has been approved by two agencies to double the LMWRF capacity to 1.0 million gallons/day [MGD] of influent. That capacity is not presently added.



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It appears that the Hydro Modification Design is relying on exaggerated assumptions for both rainwater harvesting success and the availability of residential landscape areas as permeable surfaces for absorption of water. That same design also reveals the desire to install 23 acres of private roads paved with permeable pavers to permit additional percolation of water into the soil. Such roads may fail under the weight of a Type 1 fire engine.

It is tortured logic to argue that taking green field agricultural and semi rural estate land and introducing a dense urban environment that develops 504 of the 608 acres, adding 83 acres of road and 68 acres of manufactured slopes is consistent with policy COS-5.2 which requires development to minimize the use of impervious surfaces.

Geology and Supplemental Geology Report

The review identifies questions regarding the need for blasting that cannot be quantified to determine the amount and length of time needed to do removals and ultimately placement of fills. Silicates will be a potential hazard relative to the AQMD standards.

Slope Stability and Remediation describe cut slopes 6.2.1 and fill (manufactured) slopes 6.2.2 in excess of seventy-feet (70-feet) in height. There are no seventy-foot high manufactured slopes existing in this community, which makes these proposed slopes out of character with the community.

Project Alternatives

The Lilac Hills Ranch Project Alternatives from Chapter 4.0 of the DEIR are below:

1. No Project/No Development Alternative
2. No Project / Existing Legal Lot Alternative (49 EDU + no commercial)
3. General Plan Consistent Alternative (110 EDU + no commercial)
4. Reduced Footprint Alternative (1251 EDU + 6 acres of commercial)
5. Reduced Intensity Alternative (881 EDU + 5.6 acres of commercial)
6. 2.2C (Hybrid) Alternative (1365 EDU + 15.3 acres of commercial)

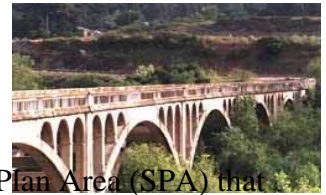
The County's Project Alternatives Analysis in Chapter 4 of the DEIR is grossly defective in meeting CEQA requirements in five areas that are summarized below:

1. The DEIR Objectives against which the Alternatives are judged for Environmental Impacts are biased and should be changed to equitable objectives, from which compliance against can be fairly measured.
2. The Project does not meet its own Objectives, when fairly assessed.



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3. There is a valid offsite alternative – the Downtown Escondido Specific Plan Area (SPA) that needs to be included as an Alternative.
4. The Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid are not valid Alternatives. These three “Alternatives” are density variations of the Project. These Alternatives are also not described in enough detail to provide informed Environmental Impact Analysis. [see table 1]
5. The Alternatives were not fairly assessed in the DEIR by the Applicant.
6. When all eight Alternatives are fairly assessed, the Downtown Escondido SPA meets more Objectives than the Project or any Alternatives.

Table 1 -Scant Attributes of 3 Alternates Provided								
Land Use	Project		Reduced Footprint		Reduced Intensity		2.2 C (Hybrid)	
	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/Sq. Ft.
Single Family Detached	158.8	903	142.1	783	275.5	881	177.0	792
Single Family Senior	75.9	468	71.1	468	0		75.9	468
Single Family Attached	7.9	164	0		0		4.3	105
Commercial/Mixed Use	15.3	211	6.0		5.6		15.3	
Water Reclamation	2.4		2.4		2.4		2.4	
RF/Trailhead	0.6		0		0.6		0.6	
Detention Basin	9.4		5.4		5.5		5.5	
School Site	12.0		9.0		0		12.0	
Private Recreation	2.0		0		0		2.0	
Group Residential/Care	6.5		0		0		6.5	
Institutional	10.7		10.7		10.7		10.7	
Park - HOA	11.8		10.0		3.0		11.8	
Park - Dedicated to County	12.0		6.0		9.0		12.0	
Biological Open Space	103.6		168.8		102.7		103.6	
Non-circulating Road	45.7		45.7		41.5		43.1	
Circulating Road	37.6		37.6		21.5		30.0	
Common Areas/Agriculture	20.2		20.2		65.0		45.0	
Manufactured Slopes	67.5		67.5		65.0		50.0	
Other/Accretive Math Error*	8.1		5.5		0		0.3	
Total	608.0	1746	608.0	1251	608.0	881	608.0	1365
* Table 4-1 from DEIR Chapter 4 Project Alternatives has the indicated arithmetic errors								
sq. ft. = Square Feet								
HOA = Homeowner's Association								

Table 2, below, rates scoring of Alternatives against the Applicant's biased eight Objectives.



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TABLE 2 - COMPARISON TO PROJECT OBJECTIVES

Objectives	Project	Alternates						
		Downtown Escondido SPA	No Project/No Development	No Project/Legal Lot	General Plan Consistent	Reduced Footprint	Reduced Intensity	2.2 C Hybrid
1 - Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community	No	Yes	No	No	No	No	No	No
2 - Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area	No	Yes	No	No	No	No	No	No
3 - Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers	Yes	Yes	No	No	Yes	Yes	Yes	Yes
4 - Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff	No	Yes	No	No	No	No	No	No
5 - Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area	Yes	N/A	No	No	Yes	Yes	Yes	Yes
6 - Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing	Yes	Yes	No	No	No	No	No	Yes
7 - Provide the opportunity for residents to increase the recycling of waste	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
8 - Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Total Number of Objectives Met	5/8	7/8	2/8	2/8	4/8	4/8	4/8	5/8

Clearly, the least Environmental Impact, even to these biased Objectives, is shown in Table 2 to be the Downtown Escondido SPA Alternative.

More importantly, the General Plan alternative must be properly considered by the applicants and County, rather than focus their attention strictly within the boundaries of the Project. Apart from the time and money already spent developing the General Plan [12 years and \$19.6 million], it was designed as a plan for the entirety of the County's unincorporated area while being mindful of the incorporated cities as well. The Lilac Hills Ranch Project is only a single piece of a much larger puzzle.



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To study this “puzzle piece” is NOT to study the General Plan alternative. This “half-study” misses the underlying logic of the new County General Plan which is, according to the lengthy introduction to the GP, to achieve “sustainable development” with a two-part strategy called Smart Growth.

I. Part One: Direct new growth to areas where infrastructure already exists (such as the established Village in Valley Center’s central valley.

II. Part Two: Retain agriculture and large parcels for functioning rural lands that clean the air, provide vital watersheds, and support diverse forms of wildlife among other functions.

The plan works ONLY when its two interdependent parts work together.

The Lilac Hills Ranch Project undermines both aspects of this strategy.

The General Plan alternative implements both aspects of this strategy. The only acceptable “study” of the General Plan Alternative is to study it in its entirety. The superior solution will be clear.

Specific Plan

The comments on the Specific Plan include several major concerns:

1. The Lilac Hills Ranch Project [the Project] is too large and too dense for Valley Center and Bonsall and it is improperly located. Urban densities are incompatible with the rural, agricultural location in which the Project has been sited.
2. Roads and Traffic. The road standard modifications proposed by the Project will downgrade the classification of a mobility element road [West Lilac Road] and will lower the design speeds of several road segments, both public and private. At the same time the Project will add over 5000 people and approximately 20,000 average daily trips to those narrower, slower roads causing congestion and road failure.
2. Compliance with the General Plan. The Project’s Specific Plan threatens to overturn virtually every element in the County’s new General Plan adopted in 2011 after 12 years of discussion, compromise and community involvement, nearly \$20 million in government expenditures and countless hours of effort on the part of local citizens. Approval of this Project will require damaging amendments to the General Plan and the Valley Center and Bonsall Community Plans that will be growth inducing, and “COMMUNITY BUSTING” particularly in the western portion of Valley Center and the eastern portion of Bonsall. If the Project is allowed to proceed, one has to question if there is any development that would be rejected because it violated the principles and policies of the General Plan and Community Plans. In the context of this Project, it is unclear that the General Plan is anything more than a placeholder until the next change is proposed.



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4. Services and Infrastructure - Water, Schools, Fire, and Waste Treatment– Infrastructure is expensive. Putting in new roads, adding additional lanes to a bridge, building a fire station, putting up a new school, installing sewer and waste treatment plants and building trails all cost large amounts of money. A principal reason why the General Plan Update strongly favors “compact, town center developments” while stating that it intends to limit “growth in areas without adequate roads, water and sewer service” is because of the demands on the public purse for building and then maintaining these infrastructure items over and over.

5. LEED-ND/Sustainable and Walkable Community. This Project still has not meaningfully addressed the requirements for LEED-ND development, although it continues to be described as “expected to meet the standards of the LEED-ND or an equivalent program.” There is no equivalent program cited and the Project fails to meet any of the site location and linkage requirements listed in the LEED-ND pre-requisites and standards.

The Project also cites its consistency with the Guiding Principles and the Community Development Model in the General Plan for San Diego County. However, even a cursory examination of those principles and the model show that, rather than being consistent, the Project is conversely inconsistent with both the Guiding Principles and Community Development Model. The ‘community’ that needs to be addressed is the Bonsall and Valley Center communities, and the Project should be understood as an element of that community. The General Plan presently applies the Community Development Model to the Bonsall and Valley Center community and the zoning and land use patterns within Bonsall and Valley Center are consistent with that model.

6. Agriculture– The General Plan Update of 2011 has set aside the area where The Project would be built as a place for agriculture and other rural and semi rural uses. In contrast to the claims made by the Project applicants, the area is not characterized by historical agricultural activity. It is a present-day agricultural area with a long, continuous history of agriculture. Avocado, citrus, cactus commercial nurseries and other farm operations are located in and around the Project areas. These agricultural uses attract insect and fungal infestations, which mean that aerial spraying is often necessary. Spraying could pose a danger to individuals living in the area. On the other hand, prohibiting spraying would make farming nearly impossible. Building The Project at the planned site would greatly damage many currently productive and successful agricultural operations.



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7. Twists of meaning and lack of clarity in the plan. One of the most difficult aspects of the Project's Specific Plan is the extent to which it makes misleading claims. They would have us believe that they are building a LEED-ND or equivalent development even though The Project violates nearly all LEED-ND standards for site selection and linkage; that adding 5,000 residents to a rural, agricultural area actually improves traffic over narrow, winding rural roads; that grading and moving 4.4 million cubic yards of earth (enough to build a path 4-feet wide around the equator of Earth) preserves natural resources and habitat for animals.

In addition, after criticizing three previous iterations of the Specific Plan, this version continues to use conditional and indefinite language to describe aspects of the Project that should be, at this stage, unconditional and definite. It seems as if the applicants want us to review and approve a suggestion, or an idea rather than a plan that defines their intentions.

There are many other concerns addressed in the Specific Plan comment document. They range from the size and type of parks in the Project to the Fire Protection Plan, from the Water Reclamation Facility to open space and conservation policies, to circulation elements. There are too many to reasonably relate in this summary.

Submitted by:

Margarette Morgan, Chair
Bonsall Sponsor Group



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August 17, 2013

TO: Mark Slovick, Planning Manager, Lilac Hills Ranch Project
Department of Planning & Development Services
County of San Diego

FROM: The Bonsall Community Sponsor Group

RE: Accretive Investment Group proposal DEIR –DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)

GENERAL PLAN CONSISTENCY ANALYSIS

Introduction:

In comments submitted over the last year, the Bonsall Sponsor Group and the Bonsall Design Review Board have challenged the applicants assertions that this SP/GPA is consistent with the adopted County General Plan [GP], or with Bonsall's Community Plan [CP], or with Bonsall Design Guidelines. Our previous comments, which are attached, have also challenged the logic exhibited throughout Accretive Investment Group's Specific Plan and now in their Draft Environmental Impact Report: that amending a particular GP Regional Category to suit the project somehow also reconciles the project's inconsistencies with a wide array of General and Community Plan Goals and Policies.

We believe the proposed SP/GPA is inconsistent with the County's General Plan and the Community Plans of both Bonsall and Valley Center, as well as with a number of other adopted planning documents. Further, we think the **DEIR fails to disclose these broad and fundamental inconsistencies and is derelict in concluding that "Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant" (Chapter 3 Environmental Effects Found Not To Be Significant (p 3-65)).**

The California Environmental Quality Act (CEQA) requires a General Plan consistency analysis and supportable conclusions. How can the DEIR conclude that planning impacts are 'insignificant' without these analyses?

This DEIR fails to perform the analyses required for decision makers, first, to understand the parameters of this proposal, and, second, to appreciate the nature and reach of its impacts. Why?

Internal consistency of all County General Plans in California is required by California State Law. Therefore, in considering a Specific Plan, particularly one that requires amendments to an adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designations and road classifications, principles, elements, goals and policies. ***Why was this not done?***

A Specific Plan is an implementation vehicle. Approval requires consistency with CEQA; consistency as well with the web of interconnected and mutually-supporting elements of the County General Plan, and consistency with the array of implementation actions, strategies and procedures that are in place to achieve the goals and policies that the General Plan sets forth. ***Inconsistency requires denial of the project OR adapting the General Plan to fit the Specific Plan – the tail wagging the dog. Broad and fundamental amendments to adopted General and Community plans would require county-wide environmental review when will this be done?***



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We all can understand why the applicants might want to avoid disclosing the array of GP and CP Goals and Policies that this project violates. But CEQA's purpose is not to gloss over or obscure inconsistencies in order to ease approval of this project. CEQA's purpose is disclosure.

Therefore, the DEIR for this SP/GPA must reckon specifically and individually with the General Plan Vision and Guiding Principles and the reflection of these in the Community Development Model, as well as with Goals and Policies across the GP's seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise; as well as goals and policies of the Bonsall and Valley Center Community Plans.

Once inconsistencies are disclosed there are only three ways to resolve them: reject the project, re-design the project, *or re-build the County General Plan to suit these applicants. Is this the goal of this project?*

Inconsistencies with General and Community Plans, Design Guidelines and other ordinances and policies are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts. Why was this statement circulated in the DEIR?

1. Why is there NO GENERAL PLAN AMENDMENT REPORT? Nowhere is there analysis of this project's consistency with GP Goals and Policies. *There are CLAIMS of GP "conformance" but no data to support them WHY? Where is the data to support claims of GP conformance?*
2. *Why does this proposal fail to meet the LEED Neighborhood Development (LEED-ND) PRE-REQUISITE location criteria? This will be mentioned several times in this document to be answered by staff.*

LEED ND cites as key smart growth strategies the building on previously constructed development sites or 'infill' sites [surrounded or mostly surrounded by previously developed land]. When a smart growth site is selected, there is no additional loss of biological habitat or excessive land gouging. *For this Project, LEED ND was not respected nor observed why? Why was LEED ND neither observed nor respected as a selected "smart growth" site?*

Oddly, the County General Plan recognizes the importance of LEED ND criteria and cites them as part of its principles. But, the DEIR and the applicant has subverted them in this case. *What was the reason that the DEIR did not analyze the Project in terms of its consistency with LEED ND ? Given that, this project is a "leapfrog development, it must be certified as consistent with LEED ND requirements or its equivalent? If using an equivalent standard for certification, what is the equivalent standard?*

3. Why is it that *Valley Center and Bonsall bear more than a fair share of San Diego County General Plan growth even before the addition of the proposed Lilac Hills Ranch project?*
 - a. The General Plan growth in housing units across the entire County of San Diego is summarized in Table X-Y below. Table X-Y San Diego County General Plan Housing Unit Forecast 2010-2050



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Bonsall Housing Units as reflected in the August 2011 General Plan are growing 59% from 2010 to 2050, **nearly 2 times** the rate of the County overall.

This project has suggested changes to our Bonsall Community Plan that support a new town center designation in an area designated as agricultural in our community plan. We followed the goals of the General Plan by placing our density where sewer service and all of our current density planning is designated. ***Why would the county approve a plan that does not support our established goals by placing a community center outside of our current community plan?*** This project is a **'COMMUNITY BUSTER'** and a **"growth inducer"** that is not supported in the General Plan or the Community Plan why is this allowed?

Growth is also planned at the traditional town center, close to the intersection of SR-76 and Mission Road, where necessary infrastructure for dense, urban development is in either on the ground or planned (and funded) to be added shortly. This project has the ability to change the Bonsall Community Plan and create a second town center on our boundary with Valley Center where we have designated a buffer of large lots and agriculture. ***Why should this project be allowed to change the Bonsall Community Plan with this designation? What about future landowners that can no long use their land for agriculture and sell to other developers that want to create more density and another town center? Why bother with a community plan if developers can subvert it to whatever they want with little regard to the communit?***

The combined composite effects of adding Lilac Hills Ranch in addition to General Plan growth is provided in Table Y-Z below:

Table Y-Z Bonsall and Valley Center Composite Housing Unit Analysis

					% Growth from 2010		
	<i>Housing Units</i>				2010 to 2020	2020 to 2030	2010 to 2050
	2010	2020	2030	2050	2020	2030	2050
Bonsall	3,875	4,320	5,149	6,151	11.5%	19.2%	58.7%
Valley Center	6,638	7,627	9,795	13,411	14.9%	28.4%	102.0%
Subtotal General Plan	10,513	11,947	14,944	19,562	13.6%	25.1%	86.1%
Lilac Hills Ranch (LHR)		746	1,746	1,746			
Total with LHR included	10,513	12,693	16,690	21,308	20.7%	31.5%	102.7%
Reference: SD County growth	1,158,076	1,262,488	1,369,807	1,529,090	9.0%	8.5%	32.0%



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The chart below is Bonsall's population growth/density without Lilac Hills Ranch.

CPA	Housing Units				Percent Change			
	2010	2020	2030	2050	2010-2020	2020-2030	2030-2050	2010-50
Alpine	6,535	6,690	7,875	9,157	2.4%	17.7%	16.3%	40.1%
Barona	202	170	170	170	-15.8%	0.0%	0.0%	-15.8%
Bonsall	3,875	4,320	5,149	6,151	11.5%	19.2%	19.5%	58.7%
Central Mountain	2,182	2,305	2,589	2,735	5.6%	12.3%	5.6%	25.3%
County Islands	614	607	607	635	-1.1%	0.0%	4.6%	3.4%
Crest-Dehesa	3,562	3,677	3,926	3,978	3.2%	6.8%	1.3%	11.7%
Desert	3,546	3,453	4,337	6,923	-2.6%	25.6%	59.6%	95.2%
Fallbrook	15,929	16,535	18,559	20,387	3.8%	12.2%	9.8%	28.0%
Jamul-Dulzura	3,234	3,372	4,398	5,263	4.3%	30.4%	19.7%	62.7%
Julian	1,711	1,748	1,884	2,015	2.2%	7.8%	7.0%	17.8%
Lakeside	27,575	28,517	30,339	30,915	3.4%	6.4%	1.9%	12.1%
Mountain Empire	3,023	3,056	3,903	5,108	1.1%	27.7%	30.9%	69.0%
North County Metro	16,114	19,548	24,090	25,946	21.3%	23.2%	7.7%	61.0%
North Mountain	1,527	1,759	2,002	2,388	15.2%	13.8%	19.3%	56.4%
Otay	7	490	2,035	2,156	6900.0%	315.3%	5.9%	30700.0%
Pala-Pauma	1,980	2,285	3,037	4,399	15.4%	32.9%	44.8%	122.2%
Pendleton-De Luz	7,531	8,533	8,684	8,797	13.3%	1.8%	1.3%	16.8%
Rainbow	708	750	881	963	5.9%	17.5%	9.3%	36.0%
Ramona	12,376	12,692	14,107	15,140	2.6%	11.1%	7.3%	22.3%
San Dieguito	10,993	11,053	11,924	13,601	0.5%	7.9%	14.1%	23.7%
Spring Valley	20,533	20,939	21,837	21,952	2.0%	4.3%	0.5%	6.9%
Sweetwater	4,670	4,657	4,732	4,732	-0.3%	1.6%	0.0%	1.3%
Valle De Oro	15,543	15,648	16,022	15,968	0.7%	2.4%	-0.3%	2.7%
Valley Center	6,638	7,627	9,795	13,411	14.9%	28.4%	36.9%	102.0%
Unincorporated Area	170,608	180,431	202,882	222,890	5.8%	12.4%	9.9%	30.6%
San Diego County	1,158,076	1,262,488	1,369,807	1,529,090	9.0%	8.5%	11.6%	32.0%

SOURCE: SANDAG Profile Warehouse: 2050 Forecast

FIRE PROTECTION PLAN (FPP)

Why doesn't the proposed Lilac Hills Ranch (LHR) Project FPP meet the following basic requirements identified below by Issue Number?

1. Of the three Fire Station site Options proposed by the Applicant, none meet the minimum acceptance criteria of the Deer Springs Fire Protection District (DSFPD). The Charter of the DSFPD focuses on providing no greater than 5 minute emergency response time to the ENTIRE DSFPD, of which the proposed LHR Project is a subset. **WHY is this allowed?**
2. The Applicant states in the FPP that the LHR Project fully complies with the DSFPD Ordinance No. 2010-01, County of San Diego Consolidated Fire Code, and County of San Diego Public and Private Road Standards. **The LHR has factual compliance issues with all of these regulations. WHY is this allowed?**



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3. The FPP focuses nearly exclusively on Wildfire Management and does not sufficiently address either Structure Fires or Emergency Medical Service (EMS) **WHY?**
4. The FPP doesn't adequately address and analyze the Environmental Impact of the use of six electronic road gates on fire access roads **WHY?**
5. Fuel Modification Zones (FMZ) – The applicant appears to rely on other property owners outside the LHR Subdivision boundaries to comply with the 100 foot FMZ requirement **WHY?**

Each of the five Issues above is substantiated as follows.

Issue 1 – Acceptable siting Options for a Fire Station servicing the LHR Project - The following information has been synthesized from (documents provided by the Valley Center Planning Group in their submittal) the 6/12/13 (Attachment A), 3/5/2013 (Attachment B), and 8/7/2013 (Attachment C) DSFPD Letters. In addition, Valley Center Community Planning Group members had a 2 hour meeting with Chief Amestoy as well as telephone conversations with respect to Environmental Impacts of the proposed LHR Project. Information from these interchanges are reflected below and included in the Valley Center submittal.

- The DSFPD Charter is to provide Fire and EMS services for the entire District, including the potential LHR Project.
- DSFPD owns three fire stations (Station 11- 8709 Circle R Drive, Escondido; Station 12 - at 1321 Deer Springs Road, San Marcos; and Station 13 - at 10308 Meadow Glen Way East, Escondido.

HAZARDOUS MATERIALS AND WILD FIRES

The present plan appears to ignore buffering of neighboring agricultural operations completely. This Project is replete with sensitive receptors such as schools, parks, homes, a church and a senior assisted living facility. Does the applicant anticipate that the County will impose buffer areas on the surrounding agricultural operations after approval of the Project? Have the surrounding agricultural operations been notified that their operations may be significantly impacted if buffering is imposed on them rather than the applicant?

Policy S-11.5 seems to put the burden of buffering on the applicant, not the existing agricultural operations. ***Will this be one of the General Plan policies that will be changed to accommodate the Project at the expense of established agriculture?*** A reasonable analysis of the buffering requirement would conclude that buffering surrounding agricultural operations from the Project presents a significant impact to existing agriculture. The applicant's "Analysis of Project Impacts and Determination of Significance," [2.7.2] points to how significant this impact is:

The project would result in a significant impact if it would:

1. ***Hazardous Substance Handling: Create a significant hazard to the public through the use of hazardous substances.***

While the applicant's intention was to discuss the applicant's proposed on-site handling of hazardous materials, that discussion should have also included the issue of buffering the application of pesticides, herbicides, fungicides, amendments and fertilizers by existing agricultural operations. ***More than one operation adjacent to the Project uses helicopters to apply agricultural chemicals to broad swaths of orchards and fields. Overspray could be an issue if not properly buffered. How will the applicant address this CEQA mandatory finding of significance? Will the allowance of less than 100 ft buffer in the Bonsall area require existing agricultural to deal with the additional buffer impact????***



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– EMERGENCY RESPONSE AND EVACUATION PLANS

The DEIR cites the Operational Area Emergency Plan and the Multi-Jurisdictional Hazard Mitigation Plan as mechanisms or protocols that would mitigate cumulative impacts to emergency response and evacuation plans. The DEIR fails to address those problems from the Valley Center or Bonsall community perspectives. The mobility element roads nearest the Project are West Lilac Road and Circle R Road. Both of those roads were built to serve a rural community with small, rural populations. ***How did this failed plan pass county staff?***

In the event of an emergency evacuation, such as occurred in 2003 and 2007, much of the population of Valley Center and Bonsall existing population will be exiting to the Interstate-15 corridor and Highway 76 all at once, not just the residents of the proposed Project. While the Operational Area and Multi-jurisdictional plans may help to organize first responders and emergency personnel, the congestion on the limited number of mobility element roads will be intense and long lasting and will affect both evacuees and emergency personnel, who are generally headed in both easterly and a westerly direction. Such congestion could result in serious harm to thousands of people if a fire should overtake them while trapped in traffic. ***How was this proven evacuation problem not considered? If considered then why was this project allowed to go forward as submitted?***

Why would the County allow the applicant to propose to further exacerbate that bad situation by asking for 10 road standard modifications that would lower the classification of the mobility element roads in some cases, and lower the design speeds of those roads. The Bonsall Sponsor Group does not support lowering standards and would find the issue of liability that the County will take on with this project a folly of great magnitude? With lower design speeds and narrower roadways, this Project will imperil the evacuation of the Valley Center and Bonsall existing residents and impede the prospective residents of the Project at the same time. Such a large urban Project located in a rural setting with limited mobility options could single-handedly, never mind cumulatively, severely and significantly put hundreds of people at risk in the event of a large scale fire like those experienced in 2003 and 2007.

WILD LAND FIRES

The location of urban densities adjacent to a ‘very high FHSZ’ does not present itself as a smart location consistent with preventative land use planning. The present General Plan incorporates land use and zoning designations that concentrate high-density housing at the core of the Valley Center and Bonsall communities. Such high densities were not planned for the margins of the two communities. Those areas were intentionally planned for large acreages to accommodate agricultural pursuits according to the Community Development Model. ***WHY would the General Plan be allowed to be subverted by this developer financial gain and allowed to change the General Plan?***

If approved, this Project will defeat the intent of the Community Development Model by locating a dense urban development away from the village cores of Bonsall and Valley Center in an area prone to very high wildfire hazards. ***Why hasn't the applicant overlain the Fire Hazard Severity Zones on a Project map to indicate the locations of the very high FHSZ. Such a map would allow a more informed evaluation of the probable risks to the Project and surrounding properties and how those risks should be handled. Such information is crucial to decision-makers?***



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This paragraph also relates to Emergency Response and Evacuation Plans as noted on previous page.

The mitigation proposed is to acquire an easement on adjacent property that is not a part of the Project so the FMZ can be extended to the full 100-feet. **Why would this be allowed?**

Barring that, the applicant proposes to use ignition resistant construction methods and other non-combustible features to purportedly achieve the same level of fire resistance as the 100-foot FMZ.

Presuming such construction techniques could work, one would think that the applicant would employ them regardless of the deficient FMZ simply because it's a safer course when building at the wildland-urban interface. ***Has the applicant considered prudent course of modifying the configuration of those portions of the Project in those very high FHSZ to accommodate the standard FMZ?***

A Project of this density and design is inappropriate at this location regardless of building standards and fuel modification plans given the proximity to dense on-site and off-site native fuels [the WUI very high FHSZ], the inconsistent use of a standard 100-foot FMZ, the inadequate evacuation routes for over 5000 residents and the uncertainty surrounding how will fire protection services will be provided please define?

MANDATORY FINDINGS

The California Legislature has determined that certain specified changes to the environment are significantly adverse by definition. These are often called mandatory findings of significance. As a result of the legislature's determination a lead agency must conclude that a proposed project may have a significant effect on the environment if the project does any of the following:

1. Has the potential to degrade substantially the quality of the environment;
2. Has the potential to achieve short-term environmental goals at the expense of long-term environmental goals;
3. Has potential environmental effects that are individually insignificant but cumulatively considerable;
4. Has the potential to cause substantial adverse direct and indirect impacts on human beings;
5. Has the potential to eliminate important examples of major periods of California prehistory or history;
6. Has the potential to change adversely the significance of a designated historical structure;
7. Has the potential to reduce substantially the habitat of fish or wildlife species;
8. Has the potential to cause a fish or wildlife population to drop below self-sustaining levels;
9. Has the potential to threaten or eliminate a plant or animal community; or,
10. Has the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

How does the County justify moving forward after reading the California Legislature mandatory findings of significance and reviewing the 268 page "PROJECT ISSUE CHECKLIST" created by staff?

How did staff determined that several of the 10 mandatory findings have not caused this project to be rejected upon submission?



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Staff identified in the Scoping Letter/Project Issue Checklist one-hundred twenty-one (121) GP Policy conflicts and one-hundred seventy-four (174) policy conflicts in the Bonsall and Valley Center Community Plans and the General Plan. *These have not been analyzed in the DEIR (or anywhere else). Why not?*

Earlier in the review of this project a “Project Issue Checklist” listed (on 350-plus pages) more than 1000 project “issues” with various planning documents. The list included Major Project Issues (with GP Policies) as well as GP and CP Policies that posed potential conflicts. Analyses of these “issues” are essential to a General Plan Amendment. *How else can anyone understand what the GPA proposes to amend?*

The staff directive to the applicant at that time was, *“Please immediately review the policies and indicate to staff how you would propose to revise these policies or if you disagree with staff’s analysis. If policy revisions are required to the County’s General Plan, then the project’s EIR must also analyze the impacts to the County’s General Plan.”* In subsequent editions, the “Checklist” refers the reader to other documents – in some instances to a GPAR (General Plan Amendment Report), in others to the Land Use Section of the EIR. ***Where is the report that is mentioned in both documents?***

CEQA requires these analyses, and the DEIR omits them. The DEIR (in Section 3.1.4.1, pp 3-56 – 3-64) lists what it calls the “relevant policy and regulatory framework” for the project. But this list is not the detailed analyses that CEQA requires; instead, under the rubric of “Existing Conditions” this section is mainly a summary of applicable planning documents. ***WHY has staff taken this point of omitting relevant policy and regulatory framework?***

Examples are rife, here are a few:

Section 3.1.4.2 (p 3-64) is titled “Analysis of Project Impacts and Determination of Significance.” Here in the subsection “*Impact Analysis*” analyses of specifics are either missing or inadequate, and replaced with brief descriptions of the project followed by assertions. Such as:

- a. Without bothering even to acknowledge the array of GP policies that would have to change in order to approve this SP/GPA, the DEIR concludes: *“The proposed project includes a General Plan Amendment which, if approved, would result in the project being consistent with the General Plan.”*
It is not consistent with the General Plan and that is a fact Why the double speak?
- b. There is no discussion of LEED ND criteria, and the GP Community Development Model is presented as if it is no more than an arrangement of densities rather than a reflection of a whole complex of interdependent ideas about sustainable development. Nevertheless, the DEIR asserts that *“the proposed project would be consistent with the Community Development Model of the County General Plan and designed to meet the LEED Neighborhood Development Certification or an equivalent.”* ***How is this possible please explain?***
- c. The policy is in some cases asserted by repeating the language of the policy itself. For LU1.2: *“the project is not “leap frog development” because it is designed to conform to the Community Development Model, provides necessary services and facilities, and would be designed to meet the LEED Neighborhood Develop Certification or an equivalent.*



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For LU3-1, LU3-2 and LU3-3: *“The project likewise provides “a complete neighborhood” to include a neighborhood center within easy walking distance of surrounding residences while providing a mixture of residential land use designations and development regulations that accommodate various building types and styles.”*

- d. d. In a few cases where the SP/GPA proposes amendments to Mobility Element road classifications or acceptable LOS levels, the DEIR argues that the SP/GPA is not inconsistent with the GP because relaxing the standards makes it consistent. Again, the point here is that consistency is achieved only by amending the General Plan to fit the project.

Please review what a LEED ND project is (below) and then what was written by the applicant and staff (above) as this project does not demonstrate the definition of what a LEED ND is. ***Why was this project allowed to go through the county process with this as a basis?***

LEED ND cites as key smart growth strategies the building on previously constructed development sites or ‘infill’ sites [surrounded or mostly surrounded by previously developed land]. When a smart growth site is selected, there is no additional loss of biological habitat or excessive land gouging. For this Project, LEED ND was not respected nor observed why? Why was LEED ND neither observed nor respected as a selected “smart growth” site?

Oddly, the County General Plan recognizes the importance of LEED ND criteria and cites them as part of its principles. But, the DEIR and the applicant has subverted them in this case. ***What was the reason that the DEIR did not analyze the Project in terms of its consistency with LEED ND ? Given that, this project is a “leapfrog development, it must be certified as consistent with LEED ND requirements or its equivalent? If using an equivalent standard for certification, what is the equivalent standard?***

In a few cases where the SP/GPA proposes amendments to Mobility Element road classifications or acceptable LOS levels, the DEIR argues that the SP/GPA is not inconsistent with the GP because relaxing the standards makes it consistent. ***Again, the point here is that consistency is achieved only by amending the General Plan to fit the project Why?***

The DEIR (Section 3.1.4, p 3-56, Land Use Planning, line 4) refers the reader to the Specific Plan, and asserts falsely (p. 3-65) that *“the project’s conformance with other General Plan policies is detailed in the Specific Plan. Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant.” Please explain how the overall project would be consistent with the General Plan?*

It is important to note here that these analyses are NOT in the Specific Plan or a GPAR, even though this would be no substitute for the CEQA requirement. The *Specific Plan* text does NOT include a *General Plan Amendment Report* (GPAR). Historically, a GPAR presents the details of a GPA and discusses its consistency, or lack of consistency, with GP elements. But, this application omits this crucial report. ***Why? I mentioned this question both on the phone and before in this document?***



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The DEIR fails to disclose the extent to which this SP/GPA is inconsistent with the County's planning documents. Land use impacts are much broader and more fundamental than what has been disclosed. Amendments to suit this SP/GPA would require rejecting the GP's foundational vision: Smart Growth. How is this to be achieved?

As stated it is not the intention of the San Diego General Plan to drop "new villages" into semi-rural and rural areas. To the contrary, the County General Plan is rooted in its "Smart Growth" intention. Smart Growth is a two-sided concept. On the one hand Smart Growth locates future development in areas where infrastructure is established; AND on the other hand, Smart Growth also retains or enhances the County's rural character, economy, environmental resources, and unique communities. These are integrated, co-dependent concepts. They work together.

How does this project of 5000 people of approximately 608 acres of infrastructure-lacking Semi-Rural and Rural land become consistent with both interdependent aspects of Smart Growth as they are expressed across and interconnected with the web of GP Guiding Principles, Goals and Policies that have been put in place to bring about the County's Smart Growth Vision?

The DEIR asserts that the project is consistent with the GP Community Development Model and with LEED Neighborhood Development Certification standards. The proposal fails to meet essential requirements of both.

As listed before in this document the definition of LEED ND and what has been submitted by the applicant do not agree. Why has staff accepted this project under this guise?

1. The General Plan already accommodates more growth than SANDAG projects for 2050. The DEIR fails to justify the need for 1746 additional homes, 90,000 additional SF of commercial.

Consistency with Land Use Goal 1 (LU-1) and Policy 1.2 (LU 1.2) are especially crucial for this project's approval. This goal and policy speak directly to the requirements for establishing NEW villages in San Diego County. ***How does this project meet the Land Use Goal or the Policy?***

Land Use Goal 1: Primacy of the Land Use Element. A land use plan and development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.

Land Use Policy 1.2: Leapfrog Development. Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED Neighborhood Development Certification or and equivalent. For purposes of this policy, leapfrog development is defined as Village densities located away from established villages or outside established water and sewer service boundaries. (See applicable community plan for possible relevant policies.)

This SP/GPA is INCONSISTENT with both the Community Development Model and with LEED Neighborhood Development Certification Standard. (No LEED ND "equivalent" has been developed to our knowledge; nor is one cited in the Specific Plan or the DEIR. By definition an "equivalent" standard would have to include LEED ND's location prerequisite or it would *not* be an equivalent standard).



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Inconsistent with LEED Neighborhood Development Certification standards and Inconsistent with the Community Development Model

The General Plan states (San Diego County General Plan: Land Use Framework; Community Development Model, p.3-6): *“The Community Development Model directs the highest intensities and greatest mix of new uses to Village areas, while directing lower-intensity uses such as estate-style residential lots and agricultural and agricultural operations to Semi-Rural areas To facilitate a regional perspective the Regional Categories of Village, Semi-Rural and Rural Lands have been applied to all privately-owned lands ...”*

First, as the above statement in the County General Plan makes clear, the Community Development Model is *not* a moveable abstract concept. If this were true then Village “puzzle pieces” could be dropped into Semi-Rural and Rural lands anywhere in the County and pronounced consistent with the Community Development Model. ***How did this project pass the Community Development Model as it is not consistent and is located in a semi-rural area of the County?***

Rather, the Community Development Model reflects a complex of planning principles and ideas that are expressed through the General Plan’s Regional Categories. It is the assignment of a particular Regional Land Use Category to a particular piece of land that this SP/GPA proposes to amend. The proposal therefore is inconsistent with the Community Development Model. ***Again, consistency would be achieved only by amending the General Plan to fit the project. Why?***

- In the General Plan (p 3-7) *“Village areas function as the center of community planning areas and contain the highest population and development densities. Village areas are typically served by both water and wastewater systems. Ideally, a Village would reflect a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment centers, civic uses, and transit.”*
- The proposed site is designated not for Village development but for large semi-rural parcels (SR 10 and SR-4). This proposal to plop a Village into the middle of an area that the Community Development Model designates for Semi-Rural and Rural development requires AMENDING the Community Development Model. ***Why was this not done? If the General Plan is to be unusable by developers as it is after 13 years of work then why have it?***
- This SP/GPA is located many miles from areas that the Community Development Model designates for Village development: miles from employment centers, shopping, entertainment, medical services, and civic organizations and activities and transportation. ***How does this project meet any of the LEED-ND or “smart growth” ideals?***
- As for infrastructure, there are few existing roads in the area and they are built and planned to service Semi-Rural and Rural development, as is the current plan. Despite proposing intense Village development, the proponents also propose to retain or reduce capacities of these roads.
- ***With an additional total of cars based on the Counties 10 trips a day per household and the current traffic on this two lane road how does this money maker for the developer plan to abate/mitigate the traffic?***



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- **The intent of the Community Development Model for Villages is to intensify development in existing Villages -- not to create NEW Villages through the destruction of Semi-Rural and Rural lands.** The Community Development Model was applied in Bonsall during the General Plan update process. Village boundaries were drawn. Village densities were planned to feather from the commercial and mixed use core to meet the Semi-Rural designations. The Bonsall community's traditional "crossroads" where road, water and wastewater infrastructure, as well as schools, churches, shops and businesses are already in place. ***We are not interested in changing the Community plan from agricultural, estate lots and an equestrian life style to a high density Village to provide leapfrog development. How is the County going to define Villages in the future based on this project and its requested amendment to the General Plan.***
- ***How many and which Goals and Policies would have to be amended to accommodate this SP/GPA? This is the question.*** We are arguing that the SP/GPA requires such broad and fundamental changes to the County General Plan that the project cannot be accommodated without scrapping the County's core Vision.

Second, the project design itself defies the GP principles, goals and policies for Village development, or Village expansion, which the Community Development Model reflects.

- ***The 608-acre project site, only a portion of which is actually owned by the applicant, sprawls 2 miles N-S, and 2 miles E-W across several thousand acres, largely in active agriculture. These surrounding acres are owned by people whose dreams and ambitions for their rural properties are in accord with the Community Development Model's Regional Category assignment: Semi-Rural and Rural.***
- ***The sprawling shape of the site creates some 8 miles of edge effects that will threaten surrounding agriculture, horticulture and animal husbandry that the GP Community Development Model protects by designating this area for Semi-Rural and Rural development.***
- ***With 1746 units and 90,000 SF of commercial on 608-acres, there is insufficient land available for "feathering" residential densities as the Community Development Model intends and describes.***

Please clarify and answer the above statements as they are questions regarding the project and the GP conflicts?

The site requires 3 separate commercial nodes to support the "walk-able" claim. It is a stretch to characterize the project as a "walk-able Village" when it is, in fact three circles of dense housing, two of them are at least a mile from the what the Community Development Model

- How does this project characterize as development Village amenities not as LEED does. The LEED standard for "walking distance" is ½ mile, the GP also cites ½ mile (GP, p.3-8). ***Why Is this project allowed to change what LEED stands for and our General Plan's Village and "Smart Growth" definition?***
- This is not the "walk-able" compact Village it pretends to be. ***Why is the project allowed to state that it is?***



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Chapter 1 of the General Plan contains an Introduction and Overview with some direct statements, such as:

P 1-4

The General Plan must be referred to in its entirety, including separately bound portions (such as community plans). While the GP is internally consistent, some issues are addressed through multiple policies and some receive refined and more detailed direction in Community Plans.

P 1-5

Policies cannot be applied independently

If you are a SD County resident or property owner, the GP indicates the general types of uses that are permitted around your home and changes that may affect your neighborhood, and the policies the County will use to evaluate development applications that might affect you or your neighbors. The Plan also informs you regarding how the County plans to improve mobility infrastructure, continue to provide adequate parks, schools, police, fire, and other public services, protect valued open spaces and environmental resources, and ...

How does this project meet or somehow become consistent with the General Plan with so many goals and policies being ignored in the General Plan? Please don't insult me with the "it will once it is approved."

The essence of the General Plan lies in its goals, policies, and implementation programs how does this project meet the goals, policies and programs?

ARCHAEOLOGICAL RESOURCES

2.6.5.1 Archaeological Resources M-CR-1:

*Prior to approval of a Final Map, the applicant shall implement the data recovery program prepared by Mary Robbins-Wade (Affinis 2013) for site CASDI-20436. The data recovery program shall be implemented prior to the commencement of any grading and/or improvements. All data recovery shall include a Luiseño Native American monitor. **Have the tribes commented and selected the Native American monitor?***

Under 2.6.1.4 Records Search Results:

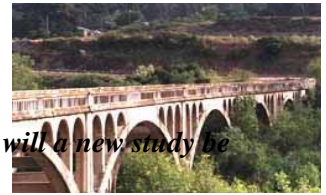
CA-SDI-4808 was originally recorded during the archaeological survey for the proposed I-15. It was described as a "small milling site, which may be considered a branch of CASDI-4807. CA-SDI-4808 was tested in 1978 to determine site boundaries and evaluate significance. The report concluded that the assemblage appears to be much too limited to make a case for any type of site, which would be distinct from the two villages during San Luis Rey II times. The previous survey concluded that no hypothesis can be made at this time regarding its function during a possible earlier occupation."

The 1978 study is out of date why has a more recent study been properly and thoroughly conducted?



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If review of the justification by the local tribes shows the study to be inadequate, will a new study be required?



After talking with several representatives of both the local Indian tribes and the Director of the Native American Heritage Commission in Sacramento several sites have not be identified by this developer and a discussion has be ongoing and will continue either prior to submittal to the Planning Commission or after their possible approval. Statements by them should be of great concern to the developer and the County. *This was written in statement form but interest is in how is this issue being handled?*

2.6.1.4 Records Search Results

The TR and DEIR propose to use studies that are nearly 35 years old. *They need to be re-examined by today's standards and in the light of additional information?*

BIOLOGICAL RESOURCES

2.5.1.2 Vegetation Communities

The Biological Resources Report [the Report] identifies three sensitive plant species present on-site: Engelmann oak, prostrate spineflower, and southwestern spiny rush. All three are on the County's List D of sensitive plant species and all three are reported as relatively small numbers of individuals. *Do listed plants have to be represented on-site in large numbers to gain significance?*

Is there quantitative data available to know whether the population sizes found on-site are significant within the region?

If not, how is it determined that a local population is insignificant?

Aren't rare, threatened or species of concern logically less numerous in most plant formations?

2.5.2 Analysis of Project Impacts and Determination of Significance

2.5.2.1 – Special Status Species

The Biological Resources Report [the Report] of the DEIR lists 13 federal/state species of special concern or Group 1 species of animals that would be impacted by the development of the Lilac Hills Ranch project [the Project] ranging from orange-throated whiptail lizards to southern mule deer. Reptiles and small mammals are judged to be at greatest risk for direct impact because they move more slowly and likely would suffer greater losses during construction activities, while larger mammals and birds are more mobile and could possibly escape to somewhere else more easily. *Is the DEIR saying that reptiles, amphibians and small mammals would likely be sacrificed for this Project given their relative immobility?*

What are the population densities of amphibians, reptiles and small mammals that are likely to be extirpated by construction operations?

To where would birds and larger mammals be dispersed?

What are the territorial ramifications and chances of survival for these displaced species?



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For some of the anticipated species that were not observed during the directed surveys, e.g. the coastal California gnatcatcher, it appears that the timing of the directed surveys took place during the less than optimum periods of July and August, the extreme end of the season. Although still within the survey guidelines, they were conducted during a very dry year, which minimizes the chance of sighting such species on-site. ***Since this was within the guidelines but a very dry year would a second survey be conducted on such a large acreage project?***

The surveys were also compressed into a two-week period [3 surveys on three consecutive Tuesdays], which minimizes the chance of observing the gnatcatchers. ***Why were such directed surveys conducted so late during a dry year? Why were the surveys scheduled in such a compressed time period at the end of the season?***

While reviewing the Attachment 1, Post-Survey Notification of Focused Surveys for Least Bell's Vireo [LBV] for the I-15/395 Master-Planned Community MPA, it was noticed that Figures 1, 2, & 3 indicate a much reduced Project area and boundary for the least Bell's vireo survey than is expected for the present Project. This seems to indicate that the survey was completed on a Project site that significantly differs from the present Project. ***How can the cited survey be appropriate and complete for the present Project?***

The addition of considerable acreage since the May, June, & July 2011 LBV surveys means that the additional areas were not properly or adequately surveyed for least Bell's vireo. ***Will the applicant re-survey these new areas included in the present Project during the appropriate breeding season?*** The wetlands that are appropriate habitat for this species extend into the subsequently acquired acreage not represented on the submitted map.

Further, the Project boundaries shown to include the survey areas mapped in the Biological Resources Report for the coastal California gnatcatcher do not match the present Project boundaries. The survey maps [Figures 1, 2, & 3 of Attachment 2, Post-survey Notification of Focused Survey for Coastal California Gnatcatcher, I-15/395 Master Planned Community MPA] indicate a much reduced Project area and boundary for the gnatcatcher survey than is expected for the present Project. This seems to indicate that the survey was completed on a Project site that significantly differs from the present Project. ***How can the cited survey be appropriate and complete for the present Project?***

The addition of considerable acreage since the July/August 2011 gnatcatcher surveys means that the additional areas were not properly or adequately surveyed for gnatcatchers. ***Will the applicant re-survey these new areas included in the present Project?***

The Report suggests that although these anticipated species, and others not listed in the Report, would be impacted by habitat loss caused by grading, construction, and human occupation, it finds that the impacts would be:

"...less than significant given the wide ranges of the species and the fact that the project does not contain a regionally significant population of these species." How can that be possible to arrive at this conclusion?



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The analysis fails to:

1. Demonstrate with data or suggest what a regionally significant population for any of the cited species is;
2. Does not estimate the on-site population density of any of the cited species to allow a comparison of the site to the region;
3. And, does not explain how the scope of a species' range can exempt the loss of a local population. The loss of local populations or portions of local populations within a species' range does not affect the notional range of the species necessarily, but does have significance in reducing the regional population of a species within the range boundaries.

Do the ranges they refer to include urban as well as undeveloped areas, agricultural as well as natural areas, and what is their extent and density?

Within cismontane San Diego County, most habitats and wildlife populations have a mosaic distribution as a result of human occupation and transportation corridors. ***To what extent has the historical range of any of these species already been diminished, making even small, local populations, like those on-site, significant?***

On what basis was the determination made that on-site populations of the 13 species were not consistent with other significant local or regional populations?

Given the mosaic distribution of those 13 species within the county and southern California, how does the Report distinguish the Project's on-site populations as being insignificant compared to other off-site populations that may be deemed significant?

There was no data presented that showed any quantitative or qualitative measure of the significance of the on-site population sizes of the 13 species, or their relationship or linkage to nearby off-site populations. WHY? The fact of their presence suggests that there is some significance. With the paucity of data presented can we reasonably conclude that 'on-site populations' are not a significant part of a larger regional population?

The edge effect impacts noted by the DEIR (i.e., noise, lighting, invasive plants, grading encroachments, proximal human presence, etc.) to these 13 sensitive species are stated to:

"...be less than significant considering the number of individuals of each species to remain after implementation of the project would be low."

However, since the Report has not quantified:

1. The existing on-site population densities;
 2. The population density thresholds that are deemed significant;
 3. Or, the expected on-site population densities after construction of the Project,
- How can the Report establish that the impacts are "less than significant?"**

Are there data that have not been reported?



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Should not the Report have presented an objective basis for the threshold of significance?

The Project would directly impact eucalyptus woodland, orchards, and oak woodlands. ***This would result in the direct loss of functional nesting habitat for raptors. The Project could also indirectly impact nesting raptors that remain on-site or adjacent to the Project through edge effects, such as close human occupation, noise and lighting why was this information not included in the report?***

Further, construction operations, blasting for years also have the potential to disrupt nesting and breeding among raptors. Raptors are protected, as a group, by California Fish and Wildlife codes. The DEIR suggests that this disruption could be mitigated by scheduling construction outside of raptor breeding season, implementing some sort of noise attenuation measures or conducting surveys to impose construction avoidance measures. ***How is this to be achieved?***

Would the applicant, or the County, seriously consider limiting construction to the August to December portion of the year? What are the limits of effectiveness of the hinted at attenuation measures? And, since phase one of the Project surrounds the principle open space and raptor nesting corridor being proposed for the Project, would the applicant actually limit construction near that nesting area? Or, would the applicant mitigate the mitigation by trying to survey the potential impact out of existence?

The DEIR asks the reader to “Refer to Table 1-3, Project Design Considerations, in subchapter 1.2.2 for more details” about preconstruction nesting raptor surveys and complete avoidance measures. The Table of Contents directs the reader to “Table 1-3, Summary of Additional Project Design Considerations, page 1-34,” however, the table is missing from that page and every other page in section 1.2. Is this information available somewhere else? And, if so, where?

Does this missing table information address the effects on nesting raptors from blasting?

Will the blasting component of the grading be timed to avoid nesting periods of raptors?

Blasting activities are likely to have a much more dramatic affect on nesting birds at a much greater distance than the apparently less significant rumbling of bulldozers and earthmovers. ***Despite a lack of data to inform the public on the decibel contours that raptors find irritating enough to preclude breeding, the DEIR reaches the conclusion that, “raptor nesting impacts would be less than significant. This is incongruent with the information presented. How is this done?***

The DEIR addresses raptor foraging areas saying,

“Almost all of the on-site habitats are suitable for raptor foraging. The project would directly impact 538.29 acres of the 610.76-acre site [reportedly, it is 608-acres], which is 88% of the raptor foraging habitat on-site. This would result in the direct loss of foraging habitat for raptors. The project could also indirectly impact foraging habitat that remains on-site or adjacent to the project through edge effects...” [underline added]



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The DEIR goes on to say that the impact of the Project to the raptor foraging area is more than 5% of that foraging habitat on-site. And yet, this declared significant impact to 538-acres of forage area would be mitigated by phasing the purchase or designation on-site of mitigation acreage based only on the native vegetation lost to the Project [about 81-acres or 15% of the total], not the agricultural lands to be sacrificed to the Project. ***How is this possible?***

As the DEIR says, raptors make significant, and productive use of the orchards, vineyards and row crops present on the Project site for foraging. ***Why would the applicants not have to mitigate the loss of forage area represented by the agricultural lands on-site as well?***

Is the applicant saying that raptors, with 608-acres on which to forage, can 'get by' with a small percentage of the present foraging acreage at a new mitigation site?

Will the edge effects caused by the presence of the Project on-site (i.e., noise, lighting, proximal human presence, dogs, cats, etc.) render any attempted on-site mitigation of foraging area loss within the planned 102-acres of open space less than significant?

The DEIR says such edge effects may compromise on-site mitigation. ***And if that is true, how will such effects be monitored and mitigated?***

And, do these types of edge effects render the planned designated open spaces ineffective for the purposes they are being set aside?

The on-site restoration of wetlands may be seen as possible and acceptable mitigation by the applicant and the county, but since the entire 608-acres has been functioning as raptor foraging area heretofore, the idea that any of the 608-acre Project site could be used to mitigate the loss of that same foraging area is an exercise in double-counting will that be done?

Table 1-2 in Chapter one of the DEIR shows the grading quantities by phase to be cut and filled. According to this table, the first two phases will have deficits of fill compared to the amount to be cut in each those phases. Since the applicant claims that the 4-Million cubic yards of earth to be moved on the Project site will not require import or export to or from the site, borrowing from future phases will be necessary. Will the applicant adjust the timing and purchase of mitigation acreage to accommodate the borrowing of fill from future phases that will prematurely impact raptor foraging during the earlier phases?

Will that grading activity in future phases adversely affect raptor nesting in the earlier phases as well as the future phase that is to make up the fill deficit?

Black-tailed jackrabbits were observed on-site. While a 'species of concern', the DEIR suggests that the impact to this species is less than significant, largely because it is judged [without data] to have a less than significant local population. Finding a black-tailed jackrabbit anywhere in northern San Diego County is becoming exceedingly rare. To suggest insignificance for this species, the authors of the DEIR should cite census data showing that the individuals observed on the Project site are not the last remaining members of the species in the north county region. It is possible that the population on the Project site is the last within the region. ***How can this be justified as less than significant?***



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It is noted that the Project will be pumping ground water from existing wells on-site. Since the open space riparian woodlands that run nearly the length of the Project and transect it at several points are dependent on adequate ground water to support the oaks, willows and other riparian species, how will the applicant manage the long term ground water levels in the open spaces? How will the drawdown of the projects wells impact other agricultural wells in the area? Where is the study?

The applicant is proposing to hand off those riparian open spaces to another agency of some sort [still unnamed]. Will that eventual agency share responsibility and authority over the wells that will have a direct impact on the ground water availability for the riparian habitats?

In the event of a drought, will the managing agency be able to restrict ground water pumping for the benefit of the open spaces?

What will be the mechanism of implementing such a restriction?

Will the managing agency have priority on ground water for irrigation to benefit the created and restored wetlands being offered as mitigation for the destruction of other wetland areas after the five-year establishment period?

2.5.2.2 – Issue 2: Riparian Habitat or Sensitive Natural Community [M-Bio-2]

The DEIR's analysis of the impacts to riparian habitat or sensitive natural communities concludes that there will be significant impact and recommends that a Resource Management Plan [RMP] be prepared before the issuance of grading permits.

Are there unknown factors that prevent the RMP from being prepared for release along with the DEIR and related documents beyond a conceptual treatment? So much of what is presented in the Specific Plan for this Project is conceptual or a possible, but undeclared, choice among several alternatives that it is difficult to consider a conceptual RMP as anything more than a suggestion.

The wetland restoration and development areas [= open spaces] are biologically surveyed and mapped. *Why is the plan not already developed?*

The DEIR is to relate meaningful, specific information in a way that the public can understand and to which it can respond. Delaying the development of the RMP until after Project approval hides the resolution of a significant impact from the public until there is much less, if any, chance of commenting meaningfully why is this delay acceptable to the County?

Further, the DEIR is not clear on what entity will own and manage the proposed open space easements on which important habitat creation or restoration will take place, suggesting the possibility of a private conservancy, the County, or some other experienced entity. **Which is it?**



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How will these easements be financed into the future? The DEIR is indefinite about endowments or Community Facility District formation or some other finance mechanism.

How will the applicant ensure the financial stability of the open space easements in perpetuity without burdening County taxpayers?

JURISDICTIONAL WATERS AND WATERWAYS [M-BIO-3 and M-BIO-4]

The DEIR identifies significant impacts to jurisdictional waters caused by the Project and proposes to mitigate that loss with restoration of degraded wetlands and creation of new wetlands adjacent to the existing wetlands on-site in open space areas.

The re-vegetation plan presented as M-BIO-4 is not clear regarding its success criteria. That plan requires 80% transplant/container plant survival in year 1. ***Is the allowance of 20% plant failure in year 1 made up in year 2 with replanting?***

Is the required native plant cover percentage in year 2 based on percentage of total plant cover, including non-native species? Or, is it a requirement that 50% of the total surface area must be covered with native species?

Similarly, is the 50% diversity requirement in year 2, diversity of native species versus non-native species? Perhaps a better question is how does one arrive at a percentage of diversity?

And, what is the meaning of the density percentage compared to the cover percentage?

What is the proposed methodology for determining these parameters? Quadrats? Transects? Estimation? The Biological Resources Report is uncertain which would be employed.

Shouldn't this plan be presented in a more complete and understandable form?

The Report acknowledges that the open space areas within the Project would be largely confined to the drainage courses that the Project will avoid [Biological Resources Report 3.2.8, p. 81]. The Report describes the open space areas as "...narrow and mostly surrounded by development except along the western and southern boundary of the project." The Report also suggests that significant edge effect impacts on the proposed open space areas of the Project would result from increased human access, potential increases in predation/competition on native wildlife from domestic animals, potential increases in invasive plant species or other domestic pests, alterations to natural drainage patterns, potential noise effects and potential effects on wildlife species due to increases in night time lighting. These significant impacts would most affect sensitive riparian birds, but, the DEIR says,

'habitat quality, functions and values would likely decrease also.'



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So, shouldn't the Report and DEIR also conclude that species other than birds [rodents, reptiles, amphibians, etc.] would suffer from the degraded habitat quality and propose mitigations directed at those other species?

Surprisingly, the Report asserts, that these significant edge effects can be mitigated by a 50-foot buffer around the preserved wetlands in the on-site biological open spaces. A 50-foot buffer poses little challenge to domestic animals, children or adults, night lighting, invasive plant species or other domestic pests. Adding fencing and signage is only marginally helpful. ***How will the applicant ensure the integrity of the preserved wetlands and open space in the face of these significant impacts?***

How will the mitigation of these impacts be monitored and adequately enforced?

Why is there no definitive plan described in the DEIR that addresses how these preserved wetlands will be secure from the reported threats?

What was the basis for dismissing the significant impacts by simply adopting a 50-foot buffer?

There will be trails within the limited building zone [LBZ]. How will the LBZ address the edge effects cited?

2.5.5.3 Wildlife Movement and Nursery Sites

The DEIR says that the impacts to wildlife movement and wildlife nursery sites would be less than significant and no mitigation is required. However, riparian woodland and wetland corridors are the conduits for movement of many animal species. The principal drainage for the Project and its surrounding area runs along the western edge of the Project site with multiple tributary drainages running through the Project in southwesterly directions toward the principal drainage. This drainage system, and its associated wetlands and riparian woodlands, offers transit corridors for the animals inhabiting the Project site as well as neighboring properties.

However, the Project is proposing culvert pipes under the roads that transect the wetland corridors that will range from 18-inches to 54-inches in diameter. Six of the seven wetland crossings are proposed to have culverts of 18- to 30-inches diameter. These culverts are too small to allow effective transit by wildlife and will impose barriers to movement. To be effective transit elements under the roads crossing the wetlands and to encourage wildlife to avoid crossing the surface of the roads, such culverts should be a minimum of 54-inches to accommodate larger mammals. ***What is the basis for proposing smaller pipes? Bridging should be considered for several of the crossings why was this not included in the plan?***

While these corridors have not been 'designated' in the draft MSCP/PAMA plans for the County, they perform the same function in the area of the Project site as the corridors delineated in the MSCP/PAMA plan, only on a more local, or secondary scale. To say that their destruction is less than significant must depend on whether the on-site and nearby off-site populations can be quantified as significant or not. That has not been done. WHY NOT?



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However, given the scope of the Project, likely any local value of these drainage wellands as transit corridors will be compromised by the edge effects caused by the Project and the direct impacts caused by road crossings within the Project. What objective assessment has been done to determine the significance of these impacts, if any?*



As for nursery sites, of the 13 Group 1 species observed on-site, 6 are reptiles or mammals. The seven bird species would likely nest in the riparian woodland or orchard areas. Why is this not significant?

2.5.5.4 Local Policies, Ordinances, Adopted Plans

The DEIR suggests that the Project would comply with several County, State and Federal policies and laws relating to biological resources. However, the DEIR notes that under the Natural Community Conservation Plan [NCCP] for coastal sage scrub [CSS] vegetation, there is no *de minimis* limit for significance. Yet, there is no data to support the conclusion that the 17-acres of CSS to be removed by the Project is insignificant, even in the face of the California Department of Fish and Wildlife's estimate that in the five county southern California region covered by NCCP, approximately 85 to 90 percent of the historically occurring CSS has been extirpated. The DEIR seems overly casual about designating this 17-acres of CSS as insignificant. And, interestingly, the NCCP plan for San Diego County will be manifested in the still draft MSCP/PAMA.

So, what are the ramifications for mitigation if the draft MSCP/PAMA is not approved?

Will there be a significance threshold established in the MSCP/PAMA for CSS if it is approved?

Doesn't the nibbling away of CSS, even when in small stands, inexorably work against the principles of the NCCP CSS program?

At what acreage does a stand of CSS become significant without a delineated animal species observed on-site?

CUMULATIVE EFFECTS

The Report and DEIR pay little attention to the cumulative effects of the Project on regional biological resources. The Report and DEIR focus on effects within the boundaries of the Project with little acknowledgement of the ramifications of this Project on the County as a whole or the Bonsall and Valley Center Planning Area. The Report cites 8 projects that were compared and evaluated against the proposed Project. The review asserts that the majority of the impacts generated by this collection of historic, current and planned projects were to agricultural lands, with little to no impacts to native upland or riparian habitats.

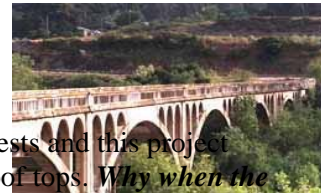
Of course, the Report makes that statement with some satisfaction, apparently not realizing that the loss of agricultural land is contrary to one of the County's General Plan Guiding Principles, as well. Further, all eight of the referenced properties in Table 7 [p.84] are much smaller than the proposed Project, the largest being 44.2-acres and the smallest 5-acres. All are within a few miles of the proposed Project and all are planning parcels larger than 2-acres, some as large as 4-acres in compliance with the present county General Plan and the Bonsall and Valley Center Community Plan. The proposed Project does not comply with the county's General Plan or the Bonsall Community Plan in this regard.



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Bonsall has lost 804 acres of agriculture based on the General Plan specific requests and this project appears to be consistent with the “new” goal of developing all agriculture into roof tops. *Why when the General Plan states it wants to support agriculture would this project even be considered?*



The comparison doesn't seem an apt one for analyzing regional cumulative effects. If we take San Diego County as the 'region' or even North San Diego County as the region, we should be looking at the historic extent of coastal sage scrub, southern mixed chaparral, southern coast live oak riparian woodland, coast live oak woodland, southern willow scrub, southern willow riparian woodland, and wetlands within that area compared to what exists today. We should then ask to what extent have these vegetation communities been extirpated and to what extent the remaining examples of those communities have significance. Comparing proposed destruction in one project with destruction that has or will result in a handful of other smaller projects isn't an effective measurement of cumulative effects. *Will the county examine meaningful cumulative effects within the entire county or, at least, within the northern part of the county?*

The County's Project Alternatives Analysis in Chapter 4 of the Lilac Hills Ranch DEIR is grossly defective in meeting CEQA requirements in five areas that are summarized below:

1. The DEIR Objectives against which the Alternatives are judged for Environmental Impacts are biased and should be changed to equitable Objectives, from which compliance against can be fairly measured.
2. The Project does not meet its own Objectives, when fairly assessed.
3. There is a valid offsite alternate – the Downtown Escondido Specific Plan Area (SPA) that needs to be included as an Alternate.
4. The Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid are not valid Alternates. These three “Alternates” are density variations of the Project. These Alternates are also not described in enough detail to provide informed Environmental Impact Analysis.
5. The Alternates were not fairly assessed in the DEIR by the Applicant.
6. When all eight Alternates are fairly assessed, the Downtown Escondido SPA meets more Objectives than the Project or any Alternates.

Overview

The Lilac Hills Ranch Project Alternates from Section 4.0 of are below:

1. No Project/No Development Alternative
2. No Project / Existing Legal Lot Alternative (49 EDU + no commercial)
3. General Plan Consistent Alternative (110 EDU + no commercial)
4. Reduced Footprint Alternative (1251 EDU + 6 acres of commercial)
5. Reduced Intensity Alternative (881 EDU + 5.6 acres of commercial)
6. 2.2C (Hybrid) Alternative (1365 EDU + 15.3 acres of commercial)

There are no issues with the either the selection as an Alternate or analysis performed for the No Project/No Development Alternative, No Project / Existing Legal Lot Alternative, and General Plan Consistent Alternates. *Why is this DEIR so incomplete and when will an alternate be considered such as the Escondido project?*



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INCONSISTENCE WITH GENERAL PLAN & COMMUNITY DEVELOPMENT MODEL

There is a full Environmental Impact for these Alternatives provided by the San Diego County General Plan dated August 3, 2011. All three of these alternatives were in the baseline (or close enough for measurement error) for the General Plan. The relevant Environmental Impact has been disclosed and analyzed in sufficient detail as part of the recent General Plan process.

The Communities of Bonsall and Valley Center support the General Plan Consistent Alternative as the proper land use and zoning for this Project. The 110 unit residential density with A70 zoning is the maximum density land use that the Circulation Element Road Network will support without Direct Development Impact.

1- DEIR Objectives are biased and should be changed WHY WAS THIS ALLOWED?

The legal adequacy of selecting many of the eight Project Objectives does not conform to the requirements of the California Environmental Quality Act (CEQA).

2 - The Project does not meet its own Objectives, when fairly assessed WHY WAS THIS ALLOWED?

Consistency with Objective One – **THE PROJECT IS INCONSISTENT WITH OBJECTIVE ONE**

The full text of Objective One is below:

“Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County’s Community Development Model for a walkable pedestrian-oriented mixed-use community.”

The proposed Lilac Hills Ranch Subdivision is a classic urban sprawl development. All of the transportation will be via automobiles, and the existing and proposed Project post-construction road infrastructure does not support the 9 fold increase in traffic and related Direct Development Impact the Project generates to the public road network.

A fundamental premise of Smart Growth is to lower automobile dependency as compared to average Development. The Accretive proposed Lilac Hills Ranch Development does not comply with Smart Growth Principles.

The SANDAG average miles/trip for all of San Diego County is 5.8 miles/trip.

The Accretive Urban Sprawl (AUS) project is proposing an automobile based urban sprawl community that even with exceedingly high internal trip rates is 47% higher than the San Diego County average (8.52/5.8) trip distance.



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How is the Lilac Hills Ranch project proposed development Smart Growth?

The ONLY mass transit that exists is the North County Transit District (NCTD) Bus Routes 388 and 389. The closest access is at SR 76 and Old Highway 395, a minimum 4 mile trip north from the project site. These routes run eight times a day and mainly link the Pala, Pauma, Rincon and Valley View Casinos to the Escondido Transit Center. If you are going to a regional shopping center or work center, you must take a 30 minute bus ride to the Escondido Transit Center and transfer to another route. The mass transit system only works if you are a Casino patron.

This Project is not consistent with the San Diego County Community Development Model. It is Inconsistent with the Community Development Model which a subset of the San Diego General Plan. ***Why does the first Objective ignore the balance of the General Plan?*** Because the Proposed Project is patently inconsistent with the San Diego County General Plan, as well as the Community Development Model within the General Plan.

Consistency with Objective Two – **THE PROJECT IS INCONSISTENT WITH OBJECTIVE TWO**

The full text with comment areas is below:

“Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area.”

“in a manner that encourages walking and riding bikes” - With 10 Exceptions to Road Standards, the Covey Lane/West Lilac and Mountain Ridge/Circle R intersections, and the traffic load the Project will throw on internal and external roads, ***who will take the risk of walking or riding a bike?***

“public services and facilities that are accessible to residents of both the community and the surrounding area” – There are two issues with this statement.

The first issue: ***what are the public services and facilities in this Project? A vague statement about a K-8 school site without any commitment to financing or endorsement by the School District, a vague description of the minimum acreage of Parks the County requires? Does the undefined Commercial content include a Supermarket or community market? A restaurant of any kind? A retail gasoline service station?***

The second issue: “accessible to residents of both the community and the surrounding area” – Accretive’s Traffic Impact Study does not show an influx of non-residents to the area. ***Is this because the Applicant is overly optimistically portraying the true Traffic Impact and related Direct Development impact of this Project?***

Consistency with Objective Three – **THE PROJECT AND ALL ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE EQUALLY INCONSISTENT WITH OBJECTIVE THREE**



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The full text is below:



“Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers.”

All Alternates are required to have a Discretionary Permit approved (including a Map approval for the General Plan Compliant Alternative) that must comply with this Objective.

Consistency with Objective Four – **THE PROJECT IS INCONSISTENT WITH OBJECTIVE FOUR**

“Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff.”

There are three issues with this Objective. The first issue is that the Objective is **so vague and subjective that compliance is not measurable**.

The second issue is with the statement: “Integrate major physical features into the project design, including major drainages, and woodlands”

How is taking 608 acres of Rural Land primarily involved in Agriculture, disturbing 440 acres, and creating large areas of impermeable surfaces consistent with this Objective? The Project includes 83 acres of road surface and 68 acres of manufactured slopes. Is it desirable to increase storm water runoff volume and velocity with impermeable surfaces? Does introduction of large quantities of urban surface water runoff Total Dissolved Solids and Pathogens benefit the woodlands?

The third issue is with the statement that follows: “creating a hydrologically sensitive community in order to reduce urban runoff.”

Accretive is proposing disturbing 440 acres of 608 total acres of rural farm land and populating a high percentage of the 440 acres with impermeable surfaces. *Is this what a hydrologically sensitive community is?*

Consistency with Objective Five – **THE PROJECT AND ALL ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE CONSISTENT WITH OBJECTIVE FIVE**

The full text is below:

“Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area.”

Any Project required to have a Discretionary Permit approved (including a Map approval for the General Plan Compliant Alternative) must comply with this Objective.

Consistency with Objective Six – **THE PROJECT IS CONSISTENT WITH OBJECTIVE SIX BECAUSE THE OBJECTIVE IS BIASED IN FAVOR OF THE PROJECT EXPLAIN WHY THIS OBJECTIVE IS CONSISTENT?**



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The full text with comment areas highlighted is below:



“Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing.”

In this Objective, **the County re-brands dense Urban Sprawl as a desired attribute**. The General Plan Alternate does not meet this objective, because it does not have Urban Density mixed use and senior housing.

This Objective is another example of where **the County has structured the Objectives of the EIR so narrowly with an intended bias such that only the Lilac Hills Ranch Project as proposed by the Applicant can fulfill the Project Objectives**. This approach leads to a self-serving and biased environmental analysis. *Why is this acceptable?*

Consistency with Objective Seven – **THE PROJECT AND ALL ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE CONSISTENT WITH OBJECTIVE SEVEN**

The full text is below:

“Provide the opportunity for residents to increase the recycling of waste.”

Having an on-site recycling facility is not the sole opportunity to increase recycling of waste. The huge amounts of waste the Accretive Urban Sprawl (AUS) requires creation of a recycling center to reduce trash truck route miles such that the project perhaps marginally complies with Traffic Level of Service on trash day.

All of the Alternatives comply with this Objective equally.

Objective Eight - **THE PROJECT AND MOST ALTERNATIVES INCLUDING THE OFF-SITE ALTERNATIVE ARE CONSISTENT WITH OBJECTIVE EIGHT**

The full text is below:

“Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses.”

Developing the Project at General Plan densities and preserving agriculture and residential based businesses (such as the existing Accretive Agricultural Operations Office located on 32444 Birdsong Drive) on the same or nearby Parcels achieves this Objective **perhaps better than the Proposed 1746 EDU Accretive Urban Sprawl Project**.

3 - A valid offsite alternate – the Downtown Escondido Specific Plan Area (SPA) has been deficiently ignored.

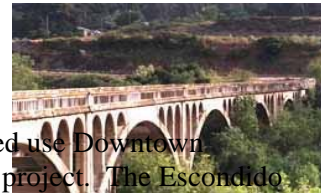
There exists a reasonable off-site CEQA compliant Alternative to this Project – the 1746 EDU and 90,000 sq. ft. mixed use Escondido Downtown Specific Plan Area (SPA) Project.



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The City of Escondido **SINCE 2007** has been developing an infill redevelopment mixed use Downtown Specific Plan Area (SPA) less than 14 miles south from the proposed Lilac Hill Ranch project. The Escondido Downtown SPA has a (City of Escondido) General Plan build-out Equivalent Dwelling Unit increase (EDU) of 5,275 EDU plus additional mixed use commercial uses.



Unlike the Accretive Project, the Downtown 1746 EDU Escondido Equivalent Project **meets Smart Growth and LEED-ND location requirements**, because it is an infill development with requisite infrastructure **truly within walking distance of the Escondido Transit Center** which has access to the Sprinter Train as well as being a hub for North County and Metropolitan Bus lines. Additionally, this location is less than a mile from access to I-15.

The project has existing medical, school, fire, police, and most importantly, Circulation Element Roads and mass transit. The Air Quality and Greenhouse Gas impacts of siting the project in Downtown Escondido are orders of magnitude less than the proposed project site in rural greenfield agricultural lands.

The impact on Biology, Agriculture, and Community are non-existent. The Escondido Downtown SPA supports a project of equivalent size to the proposed Accretive Lilac Hills Ranch project and is consistent with both the City of Escondido General Plan and the County of San Diego General Plan.

The Downtown Escondido SPA also provides a more viable solution for senior living facilities, including Assisted Living, because it is within two miles from the two Palomar Hospitals and major medical facilities.

The Downtown Escondido SPA document is available at the following link.

<http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/DowntownSpecificPlan.pdf>

Please also compare the Escondido Downtown SPA level of specificity and completeness of design to that of the Accretive Lilac Hills Ranch Specific Plan. The *interim* Escondido Downtown SPA is more complete than the Accretive Lilac Hills Ranch Specific Plan.

The EIR for this project cannot exclude the Downtown Escondido SPA Alternate and comply with the California Environmental Quality Act.

4 - The Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid are not valid Alternates

These three “Alternates” are density variations of the Project. These Alternates are also not described in enough detail to provide informed Environmental Impact Analysis. Table 1 below displays all of the information provided in the DEIR with the exception of a one page map for each Alternate:



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Table 1 -Scant Attributes of 3 Alternates Provided								
Land Use	Project		Reduced Footprint		Reduced Intensity		2.2 C (Hybrid)	
	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/ Sq. Ft.	Gross Acreage	Units/Sq. Ft.
Single Family Detached	158.8	903	142.1	783	275.5	881	177.0	792
Single Family Senior	75.9	468	71.1	468	0		75.9	468
Single Family Attached	7.9	164	0		0		4.3	105
Commercial/Mixed Use	15.3	211	6.0		5.6		15.3	
Water Reclamation	2.4		2.4		2.4		2.4	
RF/Trailhead	0.6		0		0.6		0.6	
Detention Basin	9.4		5.4		5.5		5.5	
School Site	12.0		9.0		0		12.0	
Private Recreation	2.0		0		0		2.0	
Group Residential/Care	6.5		0		0		6.5	
Institutional	10.7		10.7		10.7		10.7	
Park - HOA	11.8		10.0		3.0		11.8	
Park - Dedicated to County	12.0		6.0		9.0		12.0	
Biological Open Space	103.6		168.8		102.7		103.6	
Non-circulating Road	45.7		45.7		41.5		43.1	
Circulating Road	37.6		37.6		21.5		30.0	
Common Areas/Agriculture	20.2		20.2		65.0		45.0	
Manufactured Slopes	67.5		67.5		65.0		50.0	
Other/Accretive Math Error*	8.1		5.5		0		0.3	
Total	608.0	1746	608.0	1251	608.0	881	608.0	1365
* Table 4-1 from DEIR Chapter 4 Project Alternatives has the indicated arithmetic errors								
sq. ft. = Square Feet								
HOA = Homeowner's Association								

The major observation from independent experts is that these three Alternate are linear scaled variants of the project with inadequate detail to assess Environment Impact.

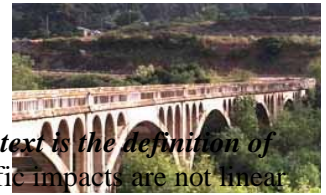
Why are these Alternates described so inadequately or not at all? The Applicant's information has multiple math errors (refer to Attachment B – Table 4-1 from DEIR Chapter 4 Project Alternatives). The only other information provided is a one page Map that in two Alternatives did not even perform lot allocation (Attachment C- Reduced Footprint Map and Attachment D- Reduced Intensity Map).



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This is a deficient level of detail to assess Environmental Impact. *Where in any of the text is the definition of Commercial uses and zoning?* Despite the naïve arm waving in DEIR Chapter 4, traffic impacts are not linear mathematical relationships. And the list of similar issues to Traffic is very long. *The proposed request for the 10 road modifications is not legally defensible by the County and as a tax payer I want to know why this is even considered?*



In the interest of brevity, **this is inadequate information to make an informed Environmental decision.**

5 - The Alternates were not fairly assessed in the DEIR by the Applicant.

Table 2 below rates scoring of Alternates *against the Applicant's biased eight Objectives*. The rationale for assessing the Project is contained in Item 2. The three variant Alternates are scored the same as the Project, except for the 2.2C Hybrid Alternate. The 2.2 C Hybrid Alternate includes Senior Housing, so it scores one Objective higher than the other two.

TABLE 2 - COMPARISON TO PROJECT OBJECTIVES								
Objectives	Project	Alternates						
		Downtown Escondido SPA	No Project/No Development	No Project/Legal Lot	General Plan Consistent	Reduced Footprint	Reduced Intensity	2.2 C Hybrid
1 -Develop a community within northern San Diego County in close proximity to a major transportation corridor consistent with the County's Community Development Model for a walkable pedestrian-oriented mixed-use community	No	Yes	No	No	No	No	No	No
2 - Provide a range of housing and lifestyle opportunities in a manner that encourages walking and riding bikes, and that provides public services and facilities that are accessible to residents of both the community and the surrounding area	No	Yes	No	No	No	No	No	No
3 - Provide a variety of recreational opportunities including parks for active and passive activities, and trails available to the public that connect the residential neighborhoods to the town and neighborhood centers	Yes	Yes	No	No	Yes	Yes	Yes	Yes
4 - Integrate major physical features into the project design, including major drainages, and woodlands creating a hydrologically sensitive community in order to reduce urban runoff	No	Yes	No	No	No	No	No	No
5 - Preserve sensitive natural resources by setting aside land within a planned and integrated preserve area	Yes	N/A	No	No	Yes	Yes	Yes	Yes
6 - Accommodate future population growth in San Diego County by providing a range of diverse housing types, including mixed-use and senior housing	Yes	Yes	No	No	No	No	No	Yes
7 - Provide the opportunity for residents to increase the recycling of waste	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
8 - Provide a broad range of educational, recreational, and social uses and economically viable commercial opportunities within a walkable distance from the residential uses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Total Number of Objectives Met	5/8	7/8	2/8	2/8	4/8	4/8	4/8	5/8



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Clearly, the least Environmental Impact even to these biased Objectives is the Downtown Escondido SPA Alternate why was this not considered?

Summary and Conclusion

The County's Project Alternatives Analysis in Chapter 4 of the Lilac Hills Ranch DEIR is grossly defective in meeting CEQA requirements.

Objectives 1 and 6 need to be changed to eliminate the bias that the Applicant has intentionally created.

Additional information and studies need to be performed on the Reduced Footprint, Reduced Intensity, and 2.2 C Hybrid Alternates.

The Downtown Escondido SPA Alternate accomplishes the same Objectives as the Project with orders of magnitude less Environmental Impact. This alternate is fully informed in the City of Escondido Downtown SPA Specific Plan and related documents,

Reference A: Escondido Downtown Specific Plan Area

<http://www.escondido.org/Data/Sites/1/media/pdfs/Planning/DowntownSpecificPlan.pdf>

Attachment A: DEIR Project Objective Issues letter dated July 29, 2013

Attachment B – Table 4-1 from DEIR Chapter 4 Project Alternatives

Attachment C – 1251 EDU Reduced Footprint Map

Attachment D – 881 EDU Reduced Intensity Map

Attachment E – 1351 EDU 2.2 C Hybrid Map

City of Escondido May 2012 General Plan

Statement:

If we as lay people and not professional consultants can locate a project of this size that is a LEED ND and deffinetly qualifies as a SMART GROWTH project why was it not mentioned in the EIR and included in the EIR as an alternate?



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Figure 11-5
General Plan (GP) Development Capacity

	Single Family (Units)	Multi- Family (Units)	Retail (Square Feet)	Office (Square Feet)	Industrial / Other (Square Feet)	Open Space, Parks / Misc. (Acres)
2010 City Area in GP	31,107	16,477	13,001,000	4,091,000	12,389,000	9,000
2010 County Area in GP	6,450	0	0	0	0	3,500
2010 City and County Combined	37,557	16,477	13,001,000	4,091,000	12,389,000	12,500
Build out of City Area in GP	35,350	31,132	32,558,000	24,064,000	20,182,000	10,500
Build out of County Area in GP	7,800	0	300,000	0	0	4,500
Build out City and County Combined	43,150	31,132	32,858,000	24,064,000	20,182,000	15,000
2035 City Area in GP	32,875	24,133	17,886,000	9,628,000	15,467,000	9,500
2035 County Area in GP	6,950	0	150,000	0	0	4,000
2035 City and County Combined	39,825	24,133	18,036,000	9,628,000	15,467,000	13,500

Total City EDU in 2010 –
47,584

Total City Build out EDU in
2035 – 66,482 Increase of
18,898 from 2010.
-11,886 more than the 54,596
included in the SANDAG
2050 forecast below
-

SANDAG 2050 GROWTH FORECAST (2030 WAS THE 8/3/11 SAN DIEGO COUNTY GENERAL PLAN BASELINE)



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Housing Characteristics (2010 Estimates)

Total Housing Units	47,682	100%
Occupied Housing Units	44,973	94%
Vacant	2,709	6%

Preliminary 2050 Regional Growth Forecast

	2000	2020	2030	2040	2050	% Change 2000-2050
Population	133,559	154,635	165,812	172,490	177,559	29%
Housing	45,050	50,370	52,954	53,738	54,596	19%
Jobs (incl. military)	49,716	66,803	71,331	73,451	74,915	48%

Source: SANDAG

www.sandag.org

last updated: October 2011

AGRICULTURE RESOURCES

2.4.1.1 Regulatory Framework

DEIR: Subchapter 2.4 Agricultural Resources

- Prime Farmland has the most favorable combination of physical and chemical features, enabling it to sustain long-term production of agricultural crops. This land possesses the soil quality, growing season, and moisture supply needed to produce sustained high yields. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to Natural Resources Conservation Service (NRCS) mapping. **The project site does not contain any land designated as prime farmland.**
- Farmland of Statewide Importance possesses minor shortcomings when compared to Prime Farmland, such as greater slopes and/or less ability to store moisture. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to NRCS mapping.

Comment: *When was the definition of "prime farmland" updated in this area of San Diego County? It is clear that many farm operations are now employing greenhouse and nursery operations which require a much lower amount of irrigation as well as existing on-property soil quality. Imported soil amendments and tents are frequently used. A year-round growing season, characteristic of San Diego County, brings this land much closer to "prime farmland" as compared to farmlands in more inhospitable climates.*



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Comment: *In addition, this project will not be built for several-to-many years, particularly in its later phases. The nature of agriculture in America in general and San Diego County in particular will have changed and evolved by that time and so will the classification of the land. The usefulness of all lands in and near the LHR project will have "improved." It would be wise for the developer and those involved in this project to provide a wide-reaching study—regional, State, National & International—to demonstrate how others rate and use their farmlands.*

Comment: *Does "prime farmland" have a relative definition? The flatness of the mid-west and San Joaquin Valley obviously adds to the number of acres of "prime." So does the drainage aspect of the San Joaquin. However, San Diego County is rolling and hilly, leaving it a poor comparison to US "breadbasket" areas. Where are the detailed report that would redefine "prime farmland" relative to San Diego County? Please include how other entities--regional, State, National & International—view and define their "prime" farmland?*

DEIR: Subchapter 2.4 Agricultural Resources

- Unique Farmland is of lesser quality soils used for the production of the state's leading agricultural crops. Unique Farmland includes areas that do not meet the above stated criteria for Prime Farmland or Farmland of Statewide Importance, but that have been used for the production of specific high economic value crops during the two update cycles prior to the mapping date. It has the special combination of soil quality, location, growing season and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods.

Comments: *Under the current trends towards nursery and greenhouse crops, all of the lands in this area would likely qualify as "Unique Farmland." The LHR project could dilute the effect and hamper the production of neighboring farmlands. In addition, since these types of productions are fairly new, it would be unwise and unproductive to consider past use alone, if at all. This area has the potential to continue to grow into a large and thriving industry of locally grown products. Please provide modern and wide-reaching studies—regional, State, National & International--of the characteristics of such operations nationally and internationally as well as the effect of dilution/disruption in urban and suburban proximate areas.*

Comment: *Rather than rating along the lines of history of having irrigated crops, would not it be more relevant to rate these lands in terms of proximity to other farmlands? Please expand your study to include other agricultural areas, nationally and internationally, and how they rate their multi-use farmlands, particularly in proximity to urban and suburban areas as well as the effect of having farmland uses grouped together vs. atomized.*

Comment: *Various reports and documents rate Bonsall and Valley Center's agricultural resources as important to the local economy. Please provide a further broad-reaching study depicting the potential disruptive and dampening effect this project will have economically on the Bonsall and VC area and SD County. Please give detailed justification for the likelihood that support of the LHR project contradicts the SD County Board of Supervisor's assertion that Bonsall and VC agriculture is important for the County economy.*



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Comment & Question: *It is difficult to know what future agricultural operations could begin in areas that surround this project. **Limitations and restrictions of pesticide use could make many agricultural operations more costly or impossible. Considering current and future uphill agricultural battles such as the importation of overseas infestations and foreign competition, the existence of LHR in this area could severely inhibit this area economically?** Please include regional, national and international scenarios.*

Comment: *Are effects of the project considered generally for surrounding areas: immediately, community & regionally? Please provide a study regarding this topic.*

DEIR: Subchapter 2.4 Agricultural Resources

The County has completed a contract with American Farmland Trust to help develop the Farming Program. The Farming Program is intended to create the framework for an economically and environmentally sustainable farming industry for San Diego County. The program, when adopted, **will include land use policies and programs to keep land available and affordable for farming** on a voluntary basis. It will also include economic development tools to help improve farm profitability.

Comment & Question: *What is the AFT's evaluation of this project and its effects upon the viability and continuance of this area for profitable farming into the future? Are there implications in this document of the potential effects of the LHR project?*

Comment & Question: *With a dense residential and multi-use project, restrictions on pesticide use will undoubtedly become more stringent, possibly crippling agriculture in the surrounding area. A detailed study documenting the likely restrictions on pesticide use for surrounding agricultural operations would be wise. As this area has been in agricultural operations for years where is the Phase I and Phase II documentation? How much soil will need to be taken from the site because of the contaminates in the soil? As the document states no soil will leave the site please provide detailed information on how many cubic yards will be removed from the site based on contaminates?*

2.4.2.2 Issue 2: Land Use Conflicts

Guidelines for the Determination of Significance

Based on the County of San Diego Guidelines for Determining Significance – Agricultural Resources (County of San Diego 2007c), the project would have a significant impact if it:

- Proposes a school, church, day care, or other use that involves a concentration of people at certain times within **one mile of an agricultural operation** or land under Contract and as a result of the project, land use conflicts between the agricultural operation or Contract land and the project would likely occur and could result in conversion of agricultural resources to a non-agricultural use;

*The report later goes on to deem the impact of the proposed LHR school as insignificant: “Because the project design locates the school site away from the project boundary (325 feet), and state regulations prevent aerial pesticide “drift” onto neighboring properties; indirect impacts associated with the proposed school would be **less than significant WHY?** In addition, the future school site would include fencing and security gates to prevent unauthorized ingress or egress and eliminating associated trespass/vandalism conflicts.”*



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Comment: Regulations require schools to be further than 1 mile from agriculture operations. This school site is 325 feet from an existing operation. Avocado & Citrus are vulnerable to known and unknown (future) infestations. Inhibiting the freedom to spray pesticides, herbicides and fungicides could doom their operation or endanger the vulnerable population using the school site. ***Please provide more detailed studies concerning the proximity of "vulnerable" sites such as schools and agriculture operations from regional to international examples and the effects upon the surrounding agriculture operations and vice versa?***

As Bonsall has learned in the last year about agricultural and church/schools clearly agricultural will take the hit and farmers will either need to change how they deal with infestations (spraying) or go out of business. ***How will this regulation impact neighboring farms and their operations?***

Group residential or (GR) would include "Group Care" land uses with units for independent living, assisted living, and dementia care. With approximately 200 units within a 6.5-acre site, this land use type would be considered a sensitive receptor. The GR area borders off-site estate residential land uses to the east. The remaining three sides are internal to the project site: biological open space lies to the south; and SFS (age restricted single-family detached) is to the north and west. The nearest active agricultural operation to the GR would be approximately 2,400 feet to the southeast or 2,900 feet to the east. As shown on Figure 2.4-4, neither of these agricultural operations is subject to aerial spraying. Because of the distance between these land uses and the fact that no aerial spraying has historically occurred; **no significant impacts** are anticipated.

Comment: Still, within 1 mile. This would inhibit aerial spraying if a future such agriculture operations were proposed for this area. ***As requested above, please justify why the County is not requiring LHR to consider possible future uses as well as past?***

Hazardous Materials Storage, p. 2.4-20 ***Would this project create regulations that would include an on-site ban on aerial pesticide spraying, restrictions on the types of fertilizers that could be used, and limitations on the types of equipment and hours of operation of maintenance activities?*** All pesticide and hazardous materials storage, on- or off-site would be required to comply with the state requirements and the applicable regulations enforced by the County Agriculture Weights and Measures. Notwithstanding storage protection measures and regulatory compliance, **significant impacts** could occur along the AAs identified above (**Impact AG-12**).

Comment: ***The restrictions upon proper cultural practices for grove management would endanger the viability of these LHR on-site agriculture operations. If these operations would cease (i.e. kill or damage the trees) because of these onerous restrictions, wouldn't the usefulness of these zones as barriers for this and other use conflicts be removed?***

Pathogens/Diseases, p. 2.4-20

Comment: ***The shot-hole borer is currently moving towards San Diego County from the north. It is lethal to citrus trees and has no cure, only careful agriculture cultural practices to prevent and manage its spread. The general public knows little about its spread or prevention. This makes management of these and any potential future pests nearly impossible. Please provide a study which compares its spread to agriculture operations from adjacent urban vs. rural and agriculture areas.***



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Nighttime lighting & Agriculture

Comment & Question: *How could future possible agricultural lighting practices be affected by LHR? Please provide studies demonstrating various scenarios: effects of lighting incompatibilities from both directions.*

2.4.2.3 Issue 3: Indirect Conversion of Agricultural Resources p. 2.4-23 Cumulative impacts related to farmland conversion could also result from edge effects, including trespassing, pilfering of crops, and damaged farm equipment. The pressure, inconvenience, and increased costs of operating remaining farms in areas converting to other uses may render continued farming infeasible or, at least, heighten the attractiveness of selling other farms for development. *How does the applicant intend to fence the project “edge effects” from humans?*

Comment & Question: *The economic engine for this region has great potential, but is fragile. Dilution of actual land uses could further endanger the feasibility of the potency of this engine. Wouldn't it be wiser to encourage other uses that are compatible with agriculture instead of inhibitory ones such as the LHR project? Compatible uses could be: agriculture, breweries and wineries, and other food-processing and production operations, flowers and green house agriculture.*

Comment & Question: *Considering the importance of agriculture to the entire region, a study of agriculture vitality comparing the saturation of agriculture-compatible vs. agriculture-conflicting actual and potential land uses needs to be undertaken?*

GEOLOGY REPORT AND SUPPLEMENTAL GEOLOGY REPORT

The report is preliminary and there are many undocumented fills still to be investigated referenced in this report as 4.3.1.1 as “Artificial Fill and Undocumented (afu).

Excavation Characteristics 5.1.1 describe the need for blasting which cannot be quantified to determine the amount and length of time needed to do removals and ultimately placement of fills. Silicates potentially will be a hazard with regard to AQMD standards. *Where is the study on silicates and the travel of the particulates?*

Slope Stability and Remediation describe cut slopes 6.2.1 and fill (manufactured) slopes 6.2.2 in excess of seventy (70) feet in height. There are no seventy foot high manufactured slopes existing in this community which makes these proposed slopes out of character with the community. *As the Fire Department can't respond to slopes of this type how will public safety be considered?*

The off-site proposed improvements include but are not limited to the widening of West Lilac roads adjacent the Maxwell Bridge 700 feet, Old Highway 395 between Gopher Canyon and Circle “R” and Covey Lane from the intersection of West Lilac all have had minimal review. *Why the minimal review as these roads are essential to the access to the project?*

The installation of approximately 2570 feet of forced sewer main will require additional investigation and review once easements are established. *Have the easements been provided to install sewer mains?*



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HYDROMODIFICATION MANAGEMENT PLAN (HMP)

Detention basins construction prior to, during and post construction need to be clearly described as to how they coordinate with the phasing plan. The grading plans, geology reports and HMP have yet to be subject to plan check oversight and current County grading ordinance WHY? The county grading ordinance limits and restricts the quantity of total area exposed at any one time. County environmental restricts percolation of sewer into disturbed material or placed fills. The plan needs clarification of how the construction phasing would comply with all county standards WHEN WILL THIS BE PROVIDED?

Effects Found Not Significant During Initial Study

3.2.24 The project does not introduce a new village but does negatively impact the existing village of rural agricultural residences. Existing infrastructure would be lost and any new infrastructure would change the entire complexion and burden the “Rural Agricultural Economy” that exist. Any new development would restrict accepted practices of farming further increasing the fiscal impact. This is not a fringe of an existing community which becomes very clear when you review all the impact studies which extend to the eastern and western boundaries of the communities of Bonsall and Valley Center.

Specific Plan & Technical Documents

Implementing Grading Plan Sheet 1-9

The plans are preliminary and the general notes lack clarification of detail i.e.

Item 13 removal of all septic systems. County environmental requires the installation of vertical wells into a leach field to replace any loss to existing leach fields if possible. Not all easements have been secured to allow for the removal of all septic systems which will impact design. ***Explain what this means as some of the houses will remain on site and the project will build around them?***

Item 14 The existing Village of agricultural businesses do not have light standards that are associated with high density bedroom communities. ***Bonsall has a dark skies ordinance and would like to know how this project will impact our ordinance?***

Item 15 Referencing a TM plan that does not exist where easements have not been vacated, quitclaimed or extinguished is too preliminary an exercise to attempt to determine if the plan will work once it is submitted to the governing agency for plan check approval. ***Why was this project allowed to proceed with all of the missing items described in this document from Bonsall?***

Item 16 Regarding the containment of storm water. There needs to be a phasing plan which more closely describes the phasing tied directly to the hydromodification management plan as it subject to NPDES (National Pollution Discharge Elimination System) and the SWPPP (Storm Water Pollution Protection Plan). ***When will this be provided?***

Implementing Preliminary Grading Plan & Implementing Tentative Map (Phase 1) These proposed plans reflect a permutation of an existing rural farm “Village” with high density housing which does not exist anywhere in the community. The plans reflect manufactured slopes from 3’ to 70’ in height.



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The county grading ordinance requires landscaped coverage and limits the amount of open grading activity at one time. *How will this phasing be accomplished?*

Letters of permission to grade and easements are still outstanding. *How will plans be modified to accommodate outstanding easements if they are not secured?*

With restrictive grading standards how will “Blue Line” streams and migratory corridors be maintained?

As the geotechnical reports are still incomplete there are no provisions for vernal pools if they are identified. *How will they be preserved?*

ROADS AND TRAFFIC

ROADS. Traffic impacts are significant and the applicant has proposed no acceptable mitigation measures. The applicant’s request for ten (10) modifications to the County road standards will actually **REDUCE** road capacities to sub-standard levels. Accretive Investment Group proposes Village development of a rural area. But the applicant **does not propose Village capacity roads that are necessary to accommodate the traffic that will be generated by their Village project.** Incongruently, and not disclosed openly in the SP or the DEIR, the applicant proposes ten (10) modifications to the County Road Standards that will *reduce capacities* of roads that were planned, in the first place, to accommodate Rural and Semi-Rural residential development that GP Principles and the land use designation that reflects them have intended for this area. **Please note that the Bonsall Sponsor Group does not support nine of the 10 requested modifications.**

One purpose of the General Plan Mobility Element and the County Road Standards is to specify road standards and automobile capacities that are necessary to serve surrounding land uses throughout the County. Land Use and Mobility Elements are tightly coordinated. Village-capacity roads are specified as necessary to serve Village land uses. Presumably decision makers will agree that road capacity standards set by the County GP Element and the County Road Standards are “necessary” standards.

However, Accretive Investment Group proposes to compromise standards that are employed uniformly across the County in order to win for themselves entitlements to urbanize land uses -- without responsibility for urbanizing road capacities. Specifically, they propose to add 20,000 Average Daily Trips to Mobility Element roads, and to pass the real costs of improving these roads on to the taxpayers. Further, they are finagling “consistency” with County planning standards pretty much across the board not by complying with them, but by relaxing them.

For example, their proposal is to **DOWNGRADE** West Lilac Road from its current Class 2.2C to a reduced-capacity Class 2.2F. And then, they further propose that two segments of West Lilac Road and one segment of Old Highway 395, which will operate at unacceptable Levels of Service E and F as a result of their new “Village” be sanctioned as official “exceptions” to the County standard for minimum Level of Service. TIF fees of approximately \$5Million are utterly inadequate to afford the road reconstruction necessary to service this development’s traffic. The Valley Center Road widening five years ago cost in excess of \$50 Million. Road improvements in already-urban places are expensive. *Is West Lilac Road available for TIF fees improvement?*



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In remote places road improvement costs are enough to kill projects. No doubt recognizing this problem, the proponents themselves argue *against* improving roads to capacities that are necessary. They say to do so:

- is too difficult and costly
- will require rights-of-way that may be unobtainable
- will be time consuming to construct
- will be disruptive to off-site property owners
- will face opposition from existing neighbors
- will require condemnation of right-of-way
- will impact biological open space.

Accretive does not have legal right of way to build most of the indicated off-site road improvements. Additionally, in order to meet the County Road Standards, two out of four secondary access intersections (Covey Lane and Mountain Ridge) with public roads will require the use of County prescriptive rights (for continual brush clearance) and eminent domain (to secure land from unwilling property owners). Accretive Investments has filed Sight Distance Analyses on these two intersections that confirm the above assertion.

RESPONSE TIME. The SP/GPA fails to meet 5 minute response time for Fire and Emergency Medical Services The Deer Springs Fire Protection District has commented in writing that none of the proposed options listed in the Specific Plan and Fire Protection Plan are feasible solutions for the District to meet the 5 minute emergency response requirement for Lilac Hills Ranch.

- Comparison of the existing General Plan development of 1,320 ADT's to the proposed 19,428 ADT's shows that the proposed project would generate 14.7 times more traffic than the approved General Plan.
- The recently adopted Mobility Element of the County's General Plan does not include the section of New Road 3 from Highway 395 to West Lilac Road. The deletion of the section of New Road 3 changed the classification of Highway 395 to a four-lane Boulevard with a LOS "D" Capacity = 25,000 ADT and West Lilac Road from Highway 395 to New Road 3 to a Light Collector 2.2C, with intermittent turn-lanes with a LOS "D" Capacity of 13,500 ADT.
- West Lilac Road is the primary access road serving the project. Secondary access to/from the project site is proposed to be provided by Covey Lane between West Lilac Ranch Road and Mountain Ridge Road extending north from Circle R. Drive to connect to West Lilac Ranch Road. Both Covey Lane and Mountain Ridge Road are private roads and do comply with the County Design Standards.

Consistency Analysis – The proposed Lilac Hills Ranch (LHR) Project is TOTALLY inconsistent with this policy in the following areas. *The project proposes to downgrade W. Lilac Road between Main Street and the planned Road 3 from the classified 2.2C to 2.2F.* The LHR Project proposes placing an additional automobile load of 20,000 Average Daily Trips on the surrounding roadways more than the adopted General Plan approved uses.

- The LHR Project increases traffic on local Private and Public Roads approximately **15 times** greater than from the traffic generated by the approved General Plan.
- At build out the LHR Project Traffic Load exacerbates cumulative road capacity in the surrounding areas with the numerous unmitigated impacts:



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Significant Direct Impacts:

- The project would have significant direct impacts to each of the road segments listed below. The mitigation for each impact is also listed, as well as the conclusion as to whether the impact would be mitigated.
- • Gopher Canyon Road, between E. Vista Way and I-15 SB: No feasible mitigation. Impact would **remain significant and unavoidable.**
- • E. Vista Way, between Gopher Canyon Road and Osborne Street: No feasible mitigation. Impact **would remain significant and unavoidable.**
- • E. Vista Way, between SR-76 and Gopher Canyon Road: No feasible mitigation. Impact would **remain significant and unavoidable.**
- • West Lilac Road, between Old Highway 395 and Main Street: Impact would be mitigated through improvement of the road segment to Mobility Element Road
- Classification 2.2C, subject to exceptions as approved by the County. **Impacts would be reduced to less than significant and the project would have a significant direct impact to each of the roadways listed above.** We disagree with Chen applicants consultant.
- Ryan's analysis that states that the direct impact is mitigated to less than significance by addition of traffic lights at these intersections because turn lane are not added at the intersections.

Significant Cumulative Impacts:

- The project would have a significant cumulative impact to each of the roadway segments listed below. The magnitude of the impacts below cannot possibly be mitigated by the small amount of LHR project contribution in TIF fees. The **impacts will remain as significant unmitigated impacts.**
- • Camino Del Rey between Old River Road and West Lilac Road;
- • Gopher Canyon Road between E. Vista Way and I-15 SB Ramps;
- • E. Vista Way between SR-76 and Gopher Canyon Road;
- • E. Vista Way between Gopher Canyon Road and Osborne Street;
- • Pankey Road between Pala Mesa Drive and SR-76;
- • Lilac Road between Old Castle Road and Anthony Road; and
- • Cole Grade Road, between Fruitvale Road and Valley Center Road.

Intersection Impacts:

- The project would have a significant cumulative impact to each of the intersections listed below. The magnitude of the impacts below cannot possibly be mitigated by the nominal of LHR project contribution in TIF fees. The impacts will remain as **significant unmitigated impacts.**
- • E. Vista Way/Gopher Canyon Road;
- • SR-76/Old River Road/E. Vista Way;
- • SR-76/Olive Hill Road/Camino Del Rey;
- • SR-76/Pankey Road;
- • Old Highway 395/West Lilac Road;
- • I-15 SB Ramps/Gopher Canyon Road;
- • I-15 NB Ramps/Gopher Canyon Road;
- • Old Highway 395/E. Dulin Road;
- • Miller Road/Valley Center Road;
- • SR-76/Old Highway 395;
- • I-15 SB Ramps/Old Highway 395; and
- • I-15 SB Ramps/Old Highway 395.



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Segments Impacts

- The project would have a significant cumulative impact to each of the segments of the I-15 listed below.
- • Between Riverside County Boundary and Old Highway 395;
- • Between Old Highway 395 and SR-76;
- • Between SR-76 and Old Highway;
- • Between Old Highway 395 and Gopher Canyon Road;
- • Between Gopher Canyon Road and Deer Springs Road;
- • Between Deer Springs Road and Centre City Parkway;
- • Between Centre City Parkway and El Norte Parkway; and
- • Between El Norte Parkway and SR-78.
- The LHR project proposes doing nothing whatsoever to mitigate its I-15 traffic impacts.

Planning for Compatibility:

- “Plan and site infrastructure for public utilities and public facilities in a manner compatible with community character, minimize visual and environmental impacts, and whenever feasible, locate any facilities and supporting infrastructure outside preserve areas. Require context sensitive Mobility Element road design that is compatible with community character and minimizes visual and environmental impacts; for Mobility Element roads identified in Table M-4, and LOS D or better may not be achieved.” Please refer to comments on LU-12.2 Maintenance of Adequate Services – Converting Rural Circulation Element 2.2 E to traffic signal controlled Urban Gridlock Environments is not compatible with General Plan Land Use design for the Adjacent Areas.

General Plan Goals and Policies NOT discussed or analyzed in the DEIR include:

LAND USE ELEMENT

LU-1.4 Village Expansion: *“Permit new Village Regional Category designated land uses only where contiguous with an existing or planned Village and where all the following criteria are met: Public facilities and services can support the expansion without a reduction of services to other County residents, and the expansion is consistent with community character, the scale, and the orderly and contiguous growth of a Village area”*

Comment-INCONSISTENT: If there was an existing or planned Village in western valley Center, Accretive could try to use this provision, instead of being prohibited by the Leapfrog Development provisions of LU-1.2. However, the only “existing or planned Village” in Valley Center is the Village in the central valley where north and south nodes are separated by a dramatic escarpment and Moosa and Keyes Creeks. This area has existed as a “Village”, has been planned for expansion for more than 50 years and was designated a SANDAG Smart Growth Opportunity area with the recent update of the County General Plan. The area is sewered and has received a large grant from the state of California to expand wastewater facilities. Valley Center Road which traverses this area and connects to Escondido and Pauma Valley was improved to Major Road standards only a few years ago in anticipation of expanded development here. The Valley Center Community Planning Group has increased residential densities in this area so that about 25% of the community’s growth can be accommodated in the “vibrant, compact Villages” the community has envisioned.



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This provision is a clear companion to and exemplifies the GP support for intensifying development in existing Village areas and its thrust against leapfrog development -- by emphasizing only expansion of an existing Village. The Project also fails to meet the criteria: Its construction would clearly reduce services to all Valley Center residents outside the development by taking away from the economic viability of the existing two Villages, as well as blocking emergency evacuation ability for current residents. As previously pointed out, its urban pattern is totally out of “character and scale” with Valley Center’s vision. Nor does a third Village provide “contiguous growth of a Village area.” A new Regional Category Village is prohibited in the area of the Proposed Project. This provision would have to be amended to allow this Project, and the DEIR would have to analyze the environmental effects countywide of such an amendment.

LU-2.3 Development Densities and Lot Sizes: *“Assign densities and minimum lot sizes in a manner that is compatible with the character of each unincorporated community.”*

Comment-INCONSISTENT: This is another demonstration of the interwoven fabric of the GP. Densities and lot sizes reflect community character. Valley Center’s community character (once you drop Accretive’s fiction that there is no existing community) is primarily rural, exemplifying the Community Development Model at the heart of the GP. Urban densities and lot sizes proposed by this Project are inconsistent with the Semi-Rural land use designations established by the GP and CP for this area.

LU-2.4 Relationship of Land Uses to Community Character: *“Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles.”*

Comment-INCONSISTENT: This is yet another demonstration of the interwoven fabric of the GP. Requiring projects to comply with the applicable Community Plan is the most effective way to meet the GP Goal LU-2, to maintain the county’s rural character. Valley Center’s community character (once you drop Accretive’s fiction that there is no existing community) is primarily rural, exemplifying the Community Development Model at the heart of the GP. This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles, as previously pointed out.

LU-5.3 Rural Land Preservation: *“Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations.”*

Comment-INCONSISTENT: If this Project proposed development consistent with its existing Land Use Designations, it would still be required by this provision to “preserve,” not destroy. The proposed project destroys even more open space, agricultural lands, wildlife habitat and corridors, and watersheds than it would be allowed with consistent development, by its urbanized design, density, and size, as previously pointed out. Urban densities and lot sizes proposed by this Project are inconsistent with the Semi-Rural land use designations established by the GP and CP for this area.



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LU-6.1 - Environmental Sustainability: *“Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.”*

Comment- INCONSISTENT

There have been thirteen (13) Group 1 animal ‘species of concern’ observed on the Accretive project site. They include lizards, snakes, raptors, small mammals, large mammals and passerine birds. Most of the wildlife surveys conducted focused on the proposed open space areas, brushing over the considerable land area devoted to agriculture as being disturbed. Of the 608-acres on the Project site, 504-acres will be graded, cut and filled, for the construction of the Project.

The DEIR acknowledges the significant impact to these 13 species [and presumably to other species numerous enough not to be of concern], and particularly the raptors [white-tailed kite, Cooper’s hawk, turkey vulture] and the loss of 504-acres of foraging area [including agricultural areas]. The DEIR dismisses this loss with 81.7-acres of on- and off-site mitigation area [presumably already populated by members of these species with whom the Project’s individuals will compete], a substantial differential from the complete 608-acres. Many of the individuals of the 13 species will be killed during construction operations, particularly the smaller, less mobile animals. Others will be forced into new territory. Of the larger animals, they will be forced to compete with others of their species in substantially less area.

So, the Project is not protecting sensitive natural resources except those that it is prohibited from completely destroying [largely, riparian wetlands]. Such practices of building urban density projects in rural and even agricultural areas will ultimately decimate the natural environment.

LU-6.4 Sustainable Subdivision Design: *“Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and when appropriate, provide public amenities. [See applicable community plan for possible relevant policies.]”*

Comment-INCONSISTENT: The Accretive Project instead proposes the minimum required open space, eliminates existing and imperils adjacent agricultural operations, and substantially worsens fire safety and defensibility, as shown by the Deer Springs Fire District comments. Instead of reducing impervious footprints, it proposes 1746 residential units etc., covering 504 of its 608 acres. Trumpeting “sustainable” development practices, it completely ignores the fundamental requirements of LEED ND to have a Smart Location and preserve Agriculture. The public amenities necessary to support their proposed city in the county, parks, schools, sewers, are all couched in “conceptual” terms, with built-in defaults to convert acres to still more additional residences. If, for example, the school or park sites (proposed without school and park amenities) are not accepted, the SP provides for their easy conversion to residential uses. This provision would have to be amended to allow this Project, and the DEIR would have to analyze the environmental effects countywide of such an amendment.

LU-6.6 Integration of Natural Features Into Project Design: *“Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.”*

Comment: This requirement is again honored only in its violation by this Project. Over four million cubic yards of grading to destroy natural features and create “manufactured” hills suitable only for urbanized residential construction. This provision would require amendment to approve this project. The DEIR would have to analyze the environmental effects countywide of such an amendment.



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LU-6.6 Integration of Natural Features into Project Design: *“Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources.”*

Comment-INCONSISTENT

With the exception of the riparian woodlands/wetlands that must be set aside, the 4 million cubic yards of blasting and grading will obliterate any other natural features of the Project site. Once completed, the Project will resemble any urban center in the county, with little of the natural landscape remaining. Native vegetation habitats will be destroyed and mitigated off-site. Animal populations will be destroyed or shoved to the remaining riparian set-asides or off-site. Avoidance of sensitive environmental resources is minimal; destruction of this area’s natural features and mitigation elsewhere are the preferred approaches for this project, obviously inconsistent with Valley Center’s objectives.

LU-6.7 Open Space Network: *“Require projects with open space to design contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect with existing or planned recreational opportunities.”*

Comment-INCONSISTENT

This Project has reserved minimal open space along wetlands and riparian areas that are particularly protected by federal, state, and county laws. The continuity of the open space will be broken by multiple road crossings with culverts mostly inadequately sized for safe wildlife passage. Intensity urban development will dominate the presently rural agricultural and natural vistas with rows of dense urban rooftops. The open spaces being set aside are not coordinated with the draft MSCP/PAMA and will not connect with any similar open space uses off-site. While the Project is within the draft MSCP boundary, it is not part of a PAMA.

LU-6.9 Development of Conformance with Topography: *“Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent possible.”*

Comment-INCONSISTENT: Could the writers of the GP and the Board of Supervisors with their approval not make more clear that the destruction of the land proposed by this Project’s over four million cubic yards of grading to destroy natural features is prohibited? The Project glorifies, not limits grading. The Project proposes to obliterate, not “not significantly alter,” the dominant physical characteristics of the site. This provision would require amendment to approve this project. The DEIR would have to analyze the environmental effects countywide of such an amendment.

LU-9.6 Town Center Uses: *“Locate commercial, office, civic, and higher-density residential land uses in the Town Centers of Village or Rural Villages at transportation nodes....”*

Comment-INCONSISTENT: As previously pointed out in the comments on the Project’s total failure to meet the LEED ND Smart Location Requirement, it is not designed as a Transit Corridor or Route with Adequate Transit Service. It is not a “transportation node.” This provision would require amendment to approve this project. The DEIR would have to analyze the environmental effects countywide of such an amendment.



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LU-09.11 Integration of Natural Features into Villages: *“Require the protection and integration of natural features, such as unique topography or streambeds, into Village projects.”*

Comment-INCONSISTENT: This provision was included in the GP because Valley Center required the developers of the north Village to do exactly that, making the streambed there an open space centerpiece of their design in their cooperative plans for their adjacent projects. Accretive instead proposes to obliterate the natural topography for their entire site, grading over four million cubic yards of genuinely natural features into manufactured hills. This policy would require amendment to approve this project. The DEIR would have to analyze the environmental countywide effects of such an amendment.

LU-10.2 Development- Environmental Resource Relationship: *“Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.”*

Comment- INCONSISTENT: This Project does not respect nor significantly conserve the unique natural flora and fauna of the site, nor does it conserve the rural character of the site. This Project will destroy a mosaic of natural vegetation habitats that are interspersed among agricultural uses. The current mix of natural habitats, orchards and row crops provides distinctive opportunities for a variety of faunal species [several of them sensitive], benefits the local hydrology by restraining and filtering run-off, and presents a pastoral view-shed that is historically characteristic of north San Diego County. The Project will create severe hydrology issues with the addition of hundreds of acres of impermeable road and rooftop surfaces that will cause excessive run-off. Run-off that would otherwise enter the water table and help to stabilize levels vital to the riparian habitats down-slope, will be impounded and/or dispersed on the surface.

The Project will be composed of dense urban village configurations that are completely at odds with rural and semi-rural areas and the natural habitats and populations they support.

MOBILITY ELEMENT

M-12.9 Environmental and Agricultural Resources: *“Site and design specific trail segments to minimize impacts to sensitive environmental resources, ecological system and wildlife linkages and corridors and agricultural lands. Within the MSCP preserves, conform siting and use of trails to County MSCP Plans and MSCP resource management plans.”*

COMMENT-INCONSISTENT

Presently, the trails proposed for the Project will intrude into the buffer and LBZ areas along side the designated biological open spaces as well as the open spaces themselves. The fences proposed to separate and protect segments of the open spaces from the edge effects created by the Project [human intrusions, domesticated cats and dogs, invasive plant species, etc.] will also create barriers to the movement of wildlife. Instead of treating these biological open spaces as retreats and corridors for the movement of wildlife, the trails proposed would turn them into parks for humans and their pets. This will have an adverse effect on the value of these open spaces for wildlife.



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CONSERVATION AND OPEN SPACE ELEMENT

GOAL COS-2 Sustainability of the Natural Environment: *“Sustainable ecosystems with long-term viability to maintain natural processes, sensitive lands, and sensitive as well as common species, coupled with sustainable growth and development.”*

COMMENT-INCONSISTENT:

The Project will eliminate 504-acres of mixed native and agricultural lands that provide foraging area for numerous animal species identified in the biological resources report. This represents an incremental loss of habitat and ultimately a loss of local wildlife populations within the county and the Project site. The removal of the project site from the inventory of rural lands to create an urban village will constitute an irreversible loss and opposes the intent of sustainable development. It will likely result in growth inducing pressure on surrounding properties as the rural and natural characteristics of the land disappear.

COS-2.1 Protection, Restoration and Enhancement: *“Protect and enhance natural wildlife habitat outside of preserves as development occurs according to the underlying land use designation. Limit the degradation of regionally important Natural habitats within the Semi-Rural and Rural Lands regional categories, as well as within Village lands where appropriate.”*

COMMENT-INCONSISTENT:

This Project proposes to set a devastating precedent for the intrusion of urban development into rural lands. While the Project site is within the MSCP boundary, it is not a part of a PAMA. The site is presently designated for estate housing and agricultural uses but would be modified to allow urban village densities, which would diminish rural and natural lands within the MSCP area and likely induce similar densities on surrounding properties. Such creeping higher densities within the MSCP would ultimately impact the neighboring PAMA areas through edge effects and compromise value of those native habitats and the intent of the MSCP/PAMA program.

COS- 2.2 Habitat Protection Through Site Design: *“Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design.”*

COMMENT- INCONSISTENT

Like GP Goal COS 2.2, the prerequisite of the LEED ND standard also is to place development in smart growth locations, such as urban infill and brown fields or adjacent to urban areas where there is easy access to infrastructure and job centers. This Project fails to meet those goals and, consequently, it will cause significant destruction of biological assets in an area that should be spared under the criteria for a smart growth location.

COS- 3.1 Wetland Protection: *“Require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.”*

COMMENT-INCONSISTENT

The project is preserving and restoring the on-site wetlands, habitats that are in shortest supply regionally, but the upland vegetation components will be subjected to severe grading, and fuel modification to accommodate the development. Rather than being enhanced, the upland areas will be shaved of value for both flora and fauna.



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COS- 3.2 Minimize Impacts of Development: *“Require development projects to:*

Mitigate any unavoidable losses of wetlands, including its habitat functions and values; Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydro modification, land and vegetation clearing, and the introduction of invasive species.”

Comment -INCONSISTENT

The Project proposes to mitigate the loss of wetlands caused by new road crossings by restoring or creating wetland on-site adjacent to existing wetlands. The value of mitigating wetland losses on-site is questionable given the edge effects caused by human intrusion, domestic cats and dogs, invasive plant species, trash, etc. that cause mitigation efforts to be diminished. Exacerbating the edge effects is the plan to establish trails within and adjacent to the biological open spaces.

Further, the Project’s storm water run-off from the massive acreage of impermeable surfaces to be built is likely to impact the water regime within the biological open spaces. Adding too much or, conversely, removing too much water from the water table can have adverse effects on the survivability of the riparian habitat.

HOUSING ELEMENT

H-1.9 Affordable Housing through General Plan Amendments: *“Require developers to provide an affordable housing component when requesting a General Plan amendment for a large-scale residential project when this is legally permissible.”*

Comment-INCONSISTENT: There appears to be NO discussion anywhere in the SP or DEIR regarding Affordable Housing or Goal H-1 and Policy H-1.9. Perhaps, since there are no firm plans for anything beyond the Phase I 354 homes, the County considers this not to be a “large-scale residential project?” Since the overall Project proposes more than 1746 homes and over 5000 new residents, it appears to be a “large-scale residential project.” This provision would require amendment to approve this project. The DEIR would have to analyze the environmental effects countywide of such an amendment. Alternatively, the DEIR should contain some discussion and analysis of why this provision is not applicable or is otherwise satisfied.

H-2.1 Development That Respects Community Character: *“Require that development in existing residential neighborhoods be well designed so as not to degrade or detract from the character of surrounding development consistent with the Land Use Element. [See applicable community plan for possible relevant policies.]”*

Comment: This is yet another demonstration of the interwoven fabric of the GP. Requiring projects “not to degrade or detract from the character of surrounding development consistent with the Land Use Element” explicitly ties housing back to the bedrock Land Use Element, the Community Development Model, and the LEED ND Smart Location Requirement. Unless you resort to Accretive’s fiction that there is no existing community (and by extension, no existing “community character” to the western Valley Center neighborhood) plopping an urban project the size of Del Mar into a rural, predominantly agricultural area designated for Semi-Rural uses, would be in significant contradiction to the “character of surrounding development.” Once again the GP requires developers to comply with the applicable Community Plan. That is the most effective way to meet the GP Goal LU-2, to maintain the county’s rural character. This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles, as previously pointed out.



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Community Plan Inconsistencies

A. Community Character Goals

Dedicated to enhancing and preserving a rural lifestyle consistent of low-density estate type residential, agricultural and equestrian uses.

Policy 1 “Require development in the community to preserve the rural qualities of the area, minimize traffic congestion, and to not adversely affect the natural environment.

Policy 2 Maintain the existing rural lifestyle by continuing the existing pattern of residential, equestrian, and agricultural uses within the Bonsall CPA.

Policy 3 Require development to be sensitive to the topography, physical context and community character of Bonsall.

Comment: The SP and DEIR cannot avoid the clear violation of these provisions by the fiction of merely adopting a new Map. The rural character of the project site, indeed all of the Planning Area in Bonsall and Valley Center, will be destroyed by plopping an urbanized area the size of Del Mar in the middle of an active agricultural area. Destruction of a designated Semi-Rural agricultural area cannot be interpreted to be “preservation.” *The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy Why?*

B. Land Use Goals

Policy 1 Require subdivision design to minimize adverse impacts to community character, or to the environment, and to mitigate any impacts from other constraints on the land that could not be avoided. Require mitigation actions to remain within the CPA of Bonsall.

Policy 2 Buffer residential areas from incompatible activities, which create heavy traffic, noise, dust, unsightly views, or from incompatibility with the surrounding environment.

Policy 3 Preserve ridgelines by siting buildings below ridges or set back with sufficient distance to minimize visual impacts. Encourage screening to visually shield all structures, including the use of vegetation. And well as appropriate and varied building materials.

Policy 4 For proposed major subdivisions, require open space easements that first are considered for agricultural or equestrian needs of the Bonsall Community.

Comment: The SP and DEIR cannot avoid the clear violation of these provisions. Adding this project in our planning area is inconsistent with our land use goals and inconsistent with both the GP and CP, the Community Development Model, and the Smart Location requirements of LEED ND. *The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy WHY?*



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C. Village Boundaries Map

Comment: The SP and DEIR cannot avoid the clear violation of the existing Map, which shows the village boundaries of two designated rural villages. This project would show three Villages instead of two based on the community model the resulting conflicts with numerous other GP and CP provisions. ***The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy.***

Community Conservation and Protection

Each policy addresses a characteristic of slope or soil type which acts as a constraint to development. For each constraint that a particular project site contains, the project must offer a compensating benefit, designed to ameliorate the immediate impacts of the project and provide overall benefits to the community. These benefits are of two types; limitations on grading for residential building pads, and dedications of material open space easements, agriculture or equestrian easements over certain areas on the site. Limitations on pad grading provide benefits in terms of visual impacts, reduced storm runoff and reduced removal of soil in rocky areas which are difficult to re-vegetate.

Policy 1 Require grading to be contoured to blend with natural topography, rather than consist of straight edges.

Policy 2 Restrict, to the maximum extent feasible, extensive grading for development projects in areas with slopes that are 20 percent or greater, in order to preserve and protect the environment, and to lessen grading and erosion.

Policy 3 Require development on slopes to be stepped to follow and preserve topography to the maximum extent feasible.

Policy 4 Minimize cut and fill grading for roads and access ways to the absolute minimum necessary.

Policy 5 Allow further reductions in minimum lot sizes indicated in Policy LU-5.2.1, through Planned Development, Lot Area Averaging, or Specific Plan projects only when setbacks, building scale, and design are appropriate to retain the equestrian and agricultural community character in the area.

This project does not meet the Lot area Averaging and Planned Residential with specific findings.



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Agricultural soils and production

Policy 1 Encourage the protection of areas designated for agricultural activities from scattered and incompatible urban intrusions, along with the provision of greenbelt/buffers between agricultural zoning and urban zoning.

Policy 2 Require development to minimize potential conflicts with adjacent agricultural operations, through the incorporation of adequate buffers, setbacks, and project design measures to protect surrounding agriculture and support local and state right-to-farm regulations.

Comment: Neither the SP nor the DEIR is clear as to which design standards apply. The SP purports to override all county documents and states it prevails over any inconsistent provisions in the GP, CP, ordinances or design guidelines. In other places it states some aspect of the project is consistent with the Bonsall and VC Design Guidelines, implying that they would, nevertheless, be applicable. The many pictures, instead of clear text, clearly show urbanized design, out of scale and character for a rural community. The massive grading replaces natural hills with manufactured slopes to accommodate urban design, ignoring natural topography for both roads and residences. The request for deviations from road standards is also in direct conflict with these provisions in the Community Plan. ***The DEIR must, but does not, explain and analyze the environmental effects of these discrepancies.***

Commercial Goals

Policy 1 Require the design of commercial development to enhance the character of a rural village and not take on an urban type design.

Policy 2 Require commercial development to be compatible with the rural environment and enhance the community's quality of life. Require all commercial uses to have aesthetically pleasing and functionally adequate operations with appropriate onsite parking, internal circulation setbacks, and landscaping; and not cause any adverse impacts on neighborhood properties.

Policy 3 Discourage incompatible land uses on areas of agricultural use and land suitable for agricultural Usage.

Policy 4 Require commercial development to provide buffers between adjacent residential areas, this can be accomplished through increased setbacks or other techniques such as grade differentials, walls and/or landscaping.

Comment: Neither the SP nor the DEIR deals with the fundamental fact that the CP establishes commercial uses only in the two existing Villages, and eliminates commercial uses elsewhere, consistent with smart growth principles and the Community Development Model. The Semi-Rural Land Use Designation for the Project Site is required by both the GP and SP to remain so. ***The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy Why?***



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Agricultural Goals

Agricultural goals are supported through out every element of the Bonsall Community Plan.

Comment: Neither the SP nor the DEIR addresses this major thrust of both the GP and CP to “support” Agriculture, not destroy it. ***The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy.***

G. Mobility Goals

Goal: Scenic routes where community character and natural resources are preserved by minimizing the impacts of public or private development along roadways in Bonsall.

Circulation and Mobility

Policy 1 Minimize the use of cul-de-sacs in the Bonsall CPA and require new subdivisions to provide local connectivity by providing linkages for long-term circulation improvement.

Comment: As noted above, neither the SP nor the DEIR is clear as to which design standards apply. There appears to have been no consideration of whether this Project can provide two separate LEGAL access points to public roads or if other public roads within the project would provide a clear circulation need that benefits the entire community are needed (to replace proposed private roads. The massive grading proposed seems a clear violation of the requirement for minimizing altering the landscape and following existing natural topography as stated before in the Bonsall policies and goals. ***The DEIR must, but does not, explain and analyze the environmental effects of these discrepancies WHY?***

Fire Protection Goals

Bonsall has fire supression coverage from three separate agencies Vista Fire Protection District, North County Fire Protection District and Deer Springs Fire Protection District. We support the district’s decision to object to unsafe building.

Comment: The continued objections of the Deer Springs Fire District to this Project negate compliance with this requirement, yet the SP and DEIR continue blithely on, as if no objections or deficiencies exist. ***The DEIR must, but does not, explain and analyze the environmental effects of this discrepancy WHY?***

School Facilities

The Bonsall Sponsor Group works closely with the school district coordinating school facility planning with residential development to ensure that school facilities will be available to accommodate the increase in enrollment without overcrowding.”

Comment: No school district has accepted the possible additional students generated by the Project. The residential construction will precede, not be coincident with, school construction. The potential school site is conditioned to be turned into additional residences if not accepted by a school district. ***The DEIR must, but does not, explain and analyze the environmental effects of these discrepancies.***



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Open Space Goals

Policy 1 Support low intensity land use zoning in undeveloped mapped floodplains, such as agricultural and low density residential zoning, to protect downstream areas from flooding hazards to minimize impacts on wildlife habitat and to provide scenic open space.

Comment: The SP only tentatively designates a 12-acre public park site. The Project minimally meets the PLDO ordinance 3-acres per 1,000 population requirement, falling woefully short of the 10-acres per 1,000 GP goal for parks. At least 350 homes will be constructed and occupied before any parks, public or private. The SP makes no provision for construction of park amenities, just dedication of raw land. Overall Project site planning appears to destroy any existing connectivity for animal migration, instead of creating or maintaining a functional open space system. The design is to create an isolated urbanized compound totally unrelated to its surroundings. This will be a closed community of urban sprawl, not one with “openness and access to surrounding open space.” *The DEIR must, but does not, explain and analyze the environmental effects of these discrepancies WHY?*

1. **BOTH the Specific Plan and the DEIR for the project fail to substantiate consistency with CEQA or consistency with the San Diego GP policies that would justify exemption of this project from prohibition of Leap Frog Development, that the DEIR fails to disclose environmental impacts and/or provide adequate mitigation for this project.**
2. **Decision makers and the public are deprived of this essential information which is required by CEQA.**
3. **These failures require re-circulation of a revised DEIR that addresses them.**

By way of brief summary, the County has failed to include assessment of Impact areas which are directly related to the proposed LHR Project Noise generation. The Noise analysis was not performed for these Noise Sensitive Land Uses (NSLUs), Environmental Impact is impossible to assess. There are contradictory values for projected Community Noise Evaluation Level (CNEL) values presented without reconciliation of the differing values.

August 16, 2013 Darnell Associates Independent Expert review of the Chen Ryan Traffic Impact Study presents factual evidence that the Chen Ryan Traffic Impact Study understated the Traffic volume and distribution. The reliance on the deficient Chen Ryan Traffic information directly affects the Noise modeling employed by Recon resulting in inaccurate Traffic Generated Noise levels.

Significant potential Impacts outside the Subdivision boundaries are not evaluated, or properly evaluated and need to be. *When will this happen?*



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Impacted existing NSLU's not evaluated for Noise Impacts

TABLE 12 – “FUTURE OFF-SITE NOISE LEVELS AT SPECIFIC LOCAL RECEIVER LOCATIONS” p. 47 of the Noise Report has errors and exclusions of key existing NSLU's. Every Assessor Parcel Number (APN) listed in the Table is incorrect. Please correct this deficiency. Also, Figures 6a and 6b geo-locate On-Site Local Receiver locations, and provide a reference back to Table 12. Figure 7 for Off-Site Local Receivers does not label Local Receivers with a reference back to Table 12. Remedy this by labeling Figure 7 Off-Site Receivers with a reference back to Table 12. Also, include a Table in similar format to Table 9 which cross references Off-Site Local Receivers to map locations.

Rodriguez Private Road is indicated on Sheet 9 of 9 of the Tentative Parcel Map. Rodriguez Road is being improved to a 24' paved surface. Consequently, the Traffic Study should indicate the traffic volume and the Noise Report should assess Traffic Generated Noise for all NSLU's along the route of Rodriguez Road. There is no indication in the discussion beginning at page 47 of the Noise Report that the Noise Impacts of Rodriguez Private Road increased traffic volume directly related to the proposed LHR Project was assessed. Please discuss specifically if and how Rodriguez Road is included in the Noise modeling results.

The following NSLU's on the eastern border of Rodriguez Road were not included as Specific Local Receivers in Table 12 “Future Off-Site Noise Levels at Specific Local Receiver Locations” p.47 of the Noise Report:

APN 129-190-37-00

APN 129-190-30-00

APN 129-380-01-00

Were these NSLU's assessed as Local Receivers? If not, why were these residential NSLU's omitted from analysis?

Contradictory CNEL Values for the same Local Receiver Location

Table 12 at p. 47 of the Noise Report specifies a predicted future Noise Level of 54 CNEL for 128-290-77-00 (APN corrected to proper value from the erroneous value in Table 12). This Assessor Parcel Number corresponds to the existing residence at 9550 Covey Lane.

Table 13 (page not numbered) “**TABLE 13 - CUMULATIVE OFF-SITE TRAFFIC CNEL AT 100 FEET FROM CENTERLINE**” lists an existing value of 44.2 CNEL and a LHR Project Build out value of 55.7 CNEL at the LHR project eastern boundary, which is approximately 190 feet from the property line of the 9550 Covey Lane NSLU.

Cumulatively Significant Noise Impacts p, 56 “The nearest residence to the future centerline of Lilac Hills Ranch Road is approximately 200 feet to the west and 50 feet north of Covey Lane, which would result in a combined noise level of 61 CNEL at the building façade.” This location is the residence at 9550 Covey Lane. There is a conflict with the cumulative CNEL value as presented in the text on Page 56 with Table 13's value. *Which value is correct?*



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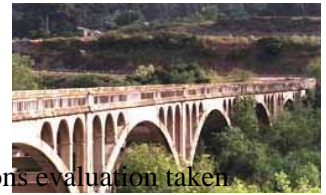
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Evaluation of Existing Noise Conditions

Please discuss and justify the following regarding the baseline Existing Noise Conditions evaluation taken

Wednesday, July 25, 2012 between 11am and 3:30 PM:

1. **Why were only 8 locations evaluated?** Please justify the adequacy of the 8 location sample size to construct a rational baseline for the project.
2. Please elaborate in detail the rationale for each of the 8 site locations selected.
3. Please elaborate in detail and justify the use of 15 minute mid-afternoon single samples as an adequate baseline for establishing Existing Noise Conditions.



Traffic Generated Noise Analysis relies on the June 28, 2013 Chen Ryan

Traffic Impact Study

Table 12 - "FUTURE OFF-SITE NOISE LEVELS AT SPECIFIC LOCAL RECEIVER

LOCATIONS" p. 47 of Noise Report is presented as the basis for ADT traffic volume for modeling the LHR project Traffic Generated Noise.

The August 16, 2013 Darnell Associates Independent Expert review of the Chen Ryan Traffic Impact Study submitted as Public Comments for the LHR DEIR presents factual evidence that the Chen Ryan Traffic Impact Study (TIS) understated the Traffic volume and distribution.

In summary, the Chen Ryan TIS understated ADT trip generation 11.9%. Additionally, Chen Ryan overstated internal trip capture, which would change ADT distribution assignment to area roads. Further, the Darnell August 16, 2013 Independent Study assigns far greater traffic volume to Mountain Ridge and Covey Lane Private Roads, where a large population of Offsite NSLU receivers are located. The reliance on the deficient Chen Ryan Traffic information directly affects the Noise modeling employed by Recon resulting in inaccurate modeling of Traffic Generated Noise levels. Fact based assessment of Noise Impacts mandates revision of the Chen Ryan Traffic Impact Study, and corresponding revision of the Traffic Generated Noise modeling from RECON.

Impacts outside the Subdivision Boundaries

The 60 CNEL Noise Level Contour Graphic needs to be extended to include the Off-Site Impacts for ALL of the Projects Secondary Access Roads:

- Mountain Ridge from the Subdivision boundary to Circle R Drive
- Covey Lane from the Subdivision eastern boundary to West Lilac Road
- Rodriguez Road to Covey Lane

Noise and the Noise Report.

For example, DEIR Subchapter 2.8 – Noise **2.8.2.1 Issue 1: Traffic Generated Noise** p.28 -8:

"Existing receivers along Mountain Ridge Road south of the project site would experience a potentially substantial increase in ambient noise levels of 8 CNEL, however, noise levels within 100 feet of the roadway centerline would be 53 CNEL or less."

When Mountain Ridge Private Road traffic volume is increased to the levels indicated in

Extend 60 CNEL Contours Offsite

- Mountain Ridge to Circle R
- Covey Lane to West Lilac
- Rodriguez Road to Covey Lane



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the August 16, 2013 Darnell Associates Independent Expert Review, and the 60 CNEL Noise Level Contour line is plotted on Mountain Ridge, in excess of 60 CNEL will be indicated at the residential façade at 31013 Mountain Ridge (APN 129-430-13-00).

Summary

DEIR Subchapter 2.8 – Noise and the Noise Report have many significant errors and omissions, and the reports rely on the flawed LHR Traffic Impact Study. Informed Environmental Analysis is impossible to perform with this flawed information.

Please revise DEIR Subchapter 2.8 and the Noise Report and notice and recirculate for Public Comment.

Submitted by:

Margarette Morgan, Chair
Bonsall Sponsor Group

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<http://www.sdcountry.ca.gov/pds/Groups/Bonsall.html>

